



USAID – BOLIVIA ADMINISTRATION OF JUSTICE PROGRAM (BAOJ) - PHASE III

FINAL REPORT

August 2001 to December 2003

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Final Report Bolivia Administration of Justice Program - Phase III August, 2001 to December, 2003

Introduction

This document reports on activities implemented during Phase III of the USAID Bolivia Administration of Justice (AOJ) Program, which covered the period August 2001 to December, 2003 and was implemented for the U.S. Agency for International Development (USAID) by contractor Management Sciences for Development (AOJ).

Although a modification extends the program to September 2004, this report is considered a final report in the sense that it closes out activities carried out between August, 2001 and the end of December, 2003. As of January, 2004, the AOJ program has been re-oriented to respond to the crises of democracy facing Bolivia, and reports filed in the future will reflect a re-oriented program with distinct results being sought. Therefore, although selected activities from Phase III will continue into 2004, work carried out from January 2004 forward should be considered as conceptually separate, being more focused on addressing in the justice sector the setbacks and threats to democracy the country is currently facing. For the aforementioned reasons, we report on activities from the inception of Phase III through to its closing at the end of December, 2003, and as per prior discussions with the Cognizant Technical Officer (CTO) this report should be considered the final report for the period August 2001 to December 2003.

USAID program officials were Liliana Ayalde, Mission Director, Jose Garzon, DEMOSOT Director from August 1998 to mid 2002, Todd Sloan, DEMOSOT Director to the end of 2003, Mike Willis, Deputy DEMOSOT Director, and Alvaro Galvez, CTO/Justice Program Coordinator.

Contractor's key personnel were Raphael Metzger, Chief of Party and Daniel Mancilla, Deputy Chief of Party. Reinaldo Imaña, Coordinator of the Legal Development Area, also played a critical role across all program areas throughout Phase III. In the fall of 2003 Mr. Metzger departed permanently from post due to the birth of his child with certain medical conditions that prevented his deployment to the high altitude of La Paz. William Cartwright assumed the Chief of Party position as of November, 2003.

Activities were implemented in four areas of work under a level of effort contract, and pursuant to the overarching strategic objective of consolidating the reformed criminal procedures code in the Republic of Bolivia.

- The Legal Development Area focused on legislative drafting and building political support in Congress and the Executive Branch for continued legal reforms, particularly reforms that supported consolidation of the New Code of Criminal Procedures (*Nuevo Código de Procedimiento Penal*, or NCPP). The Legal Development area in particular provided critical technical support across all program areas. In just over two years, we were able to complete drafting and building the political support necessary to secure passage and promulgation of the *Ley de Ejecucion de Penas*, reforms to the Tax Code, reforms to the Customs Code, a *Ley Nacional de la Defensa Publica*, some modifications to the Criminal Code, and a *Ley de Responsabilidades* for the Judicial Branch. This despite widespread social upheavals in February and October, 2003; a stagnant Congress during the national elections that took place in mid-2002; new strength of the Movimiento al Socialismo (MAS) opposition party in Congress; working with three ministers of justice as a principle counterpart; the elimination of USAID's

principle program counterpart the Ministry of Justice; then working with two vice ministers of justice as a principle counterpart; and the forced departure of the Sanchez de Lozada administration in the wake of massive, violent protests in October, 2003.

- The Institutional Strengthening Area focused on equipping justice sector institutions with the regulations, administrative skills, systems, and equipment needed to support effective implementation of the NCPP. The technical assistance and material support was provided to achieve redesign of key structure within institutions, in some cases whole institutions; a similar redefinition of key functions within each institution; developing new processes and procedures; rehabilitating selected aspects of physical plants of each institution; consolidation and expansion of information technology, particularly the use of the IANUS system and its progeny, JURIS; and training and capacity building of institutional human resources.
- Training, which focused on preparing justice system operators to function in a criminal procedures system radically distinct from what had existed before through basic training, skills building practice based training, and training in advanced topics. The AOJ program's training enjoyed extreme popularity and was recognized by the institutions that have adopted our methods and curricula as high-quality and effective in meeting Bolivian justice system operators where they are at and moving them to where they need to be to implement the NCPP and continue the trend of stronger performance and more efficient administration of justice over time. Great progress was made towards institutionalization of training capacity, particularly in the Public Ministry where the challenges were more formidable owing to lack of resources and uncertain leadership. Institutions have accepted their responsibility for professional training and no longer view it as something both financed and executed exclusively by international donors. We also achieved the desired reform of the law school curriculum in every public university in the country, and expect a renewed spirit of cooperation by UMSA and its openness to working with USAID to result in important opportunities in the future.
- Public Awareness and Understanding, which focused on building popular support and acceptance of the NCPP, also enjoyed excellent successes, both before the elimination of the civil society aspects of the SOW and after. A modern and high impact public relations campaign for urban areas worked to solidly support for the NCPP, while creative approaches to reaching marginalized populations and persons in rural areas resulted in NCPP information reaching many parts of the country for the first time. Additionally, our assistance to the Ministry of Justice and later Vice Ministry of Justice demonstrated the results possible with a sophisticated and knowledgeable approach to media relations management—largely positive coverage of the NCPP despite efforts to launch a counter reform movement.

Phase III of the AOJ Program continued to demonstrate USAID's leadership in the justice reform field, and the importance of comprehensive medium-term technical support to ensure that reforms take root and are sustainable.

LEGAL DEVELOPMENT AREA

The program at all times provided appropriately skilled professionals to accomplish the work of legislative drafting, lobbying, and related tasks. All tasks were ongoing or subject to the political

will of the counterparts, including Congress, or other political circumstances. Technical assistance and lobbying were provided that were key to passage of a reformed Tax Code, Customs Code, National Public Defender Law, and Ley de Ejecucion de Penas despite having to operating in an intensely difficult political environment.

SPECIFIC OBJECTIVE 1 - LEGAL REFORMS AND REGULATIONS RELATED TO AND REQUIRED TO ENABLE THE CODE OF CRIMINAL PROCEDURES (CCP) ARE ENACTED, IMPLEMENTED AND ENTER INTO FULL EFFECT.

1.1 RESULT: LEGAL REFORMS (E.G., LAWS, REGULATIONS) ASSOCIATED WITH THE NUEVO CODIGO DE PROCEDIMIENTO PENAL (NCP) AND REQUIRED TO ENABLE/CONSOLIDATE THE NCP ARE APPROVED.

1.1.1. ACTIVITY: Technical assistance for legal reforms in the context of GOB priorities associated or with impact on consolidation with the NCP, including potential changes to the NCP itself and/or new or changed laws that impact on the NCP.

This was an ongoing activity. Key activities completed during Phase III included:

- Ongoing review and establishment of legislative priorities in coordination with USAID and GOB counterparts.
- Provided technical assistance to the Ministry of Justice for review of their legislative project in the anticorruption area in the context of a then-newly created anti-corruption commission (QR1) that included the participation of all the Bolivian political parties with representation in Congress as well other civil society organizations (CSOs).¹
- Monitored development of anti-corruption legislation for possible impacts on the NCP (ongoing).
- Successfully provided technical assistance to avoid the creation of alternative procedures for processing criminal defendants charged with corruption-related crimes, and misdirected efforts to change the role, duties, or institutional placement of the *Unidad de Investigaciones Forenses* (UIF) (QR1).
- Advanced anti-corruption proposal for a public monitoring function that, with access to relevant information, could refer their findings to the appropriate authorities, as a NCP *denunciante* or *querellante*, for follow up and/or prosecution. Although the Commission rejected the proposal, an anti-corruption unit led by Lupe Cajias was created shortly thereafter that included among its components efforts to develop a public monitoring function.
- Successfully stopped proposals to create for corruption cases a parallel criminal procedure to that of the NCP (Ongoing).
- Pushed for additional reforms to eliminate Congress persons immunity from criminal prosecution through reforms of the *Ley de Responsabilidades*.
- Lobbied for and supported police reform that could take place through a commitment to pre-defined process for achieving consensus on changes needed to support “citizen security”, with involvement of relevant GOB institutions and civil society.
- Lobbied for change in law permitting the Attorney General to appoint District Attorney’s from a pool of qualified candidates that are competitively ranked, as opposed to current selection

¹ Participating CSOs were: *Confederacion de Empresas Privados*; *Confederacion Obrera Boliviana*; *Central Unica de Trabajadores Campesinos*; *Asamblea Nacional de Periodistas*; and the *Asamblea Permanente de Derechos Humanos*.

methods placed this authority in the Congress and has overly-politicized the selection of District Attorney's.

- Urged the Attorney General to appoint interim DAs from the list of qualified candidates impartially selected by Price Waterhouse with funding from the AOJ program.
- Promoted the idea for the creation of specialized Corruption Prosecutors within the Public Ministry, modeled on the Controlled Substances Prosecutors, which would receive training in coordination with the Public Ministry's Training Institute and the Office of the Vice President. Such an approach has since been adopted.
- Promoted the idea of developing an anti-corruption monitoring system, which can be used to track the prosecution of corruption cases and subsequently highlight these activities to the public. Such an approach has since been adopted by the GOB's anti-corruption czar.
- Technical assistance to the Vice Ministry of Justice and Congress on the Citizen Security Law promulgated August 4, 2003 as *Ley 2494*. Clarified medidas cautelares provisions without doing violence to the underlying concepts supporting the existence of these provisions and, as restrictions on individual liberty, their application in limited circumstances (QR8).
- Analysis of the Law on the Need for Constitutional Reform, including comparative research on constitutional law in Latin America completed.
- Researched the legality of the Sanchez de Lozada administration's announcement that legislation and proposed laws developed during prior legislative sessions would not be considered.
- Prepared briefing paper for the president of the Senate Constitutional Committee and various other congress persons explaining the need for modification to the Public Ministry Law to remove from the Congress the power to appoint District Attorney's and give it to the Attorney General.
- Organized special roundtable discussion that took place on November 26, 2001 involving U.S. Mission entities DEA, NAS, and ECOPOL, as well as USAID as the organizer. Focused attention on financial crimes in Bolivia, particularly money laundering, and developed consensus on key issues, culminating 8 months later in the signing of a landmark inter-institutional agreement on money laundering, consistent with GOB reform efforts and UDG anti-narcotics and anti-terrorism foreign policy objectives.
- Assisted the UIF and GOB criminal investigative agencies to development and execution written protocols to govern information transfer and appropriate follow-up to help support more effective criminal investigation and prosecution.
- Technical and financial assistance for coordinated training program on prosecuting money laundering, targeting the UIF, FELCN, Prosecutors, and other appropriate GOB entities.
- Technical assistance to avoid subordination of the UIF to the Superintendancy of Banks, which would have potentially subjected the UIF to political and bureaucratic interference in the execution of its functions.
- Advanced Reforms to the Criminal Code, an important tool in anti-corruption efforts, are also needed. The Criminal Code needs to be reformed to better protect undercover agents and informants. Related to criminal code reform is the need for a new comprehensive law on Money Laundering. This is needed principally to consolidate the independent of the UIF in accordance with international recommendations for such units; to make the crime of money laundering independent of the underlying illicit activity; and to clarify the appropriate role and scope of UIF functions.
- Provided technical assistance to the Unidad de Investigaciones Financieras. Met on an ongoing basis with the UIF director to review key issues and develop strategies.

1.1.2 **ACTIVITY: Law on the Execution of Penalties (Ley de Ejecucion de Penas).**

- Completed in December, 2001.
- Provided technical assistance in Congress and the Vice Ministry of Justice for passage of this law.
- Successfully included exceptions for narcotrafficking involving a sentence of 15 years or more and terrorism to eligibility for sentence reduction based on participation in self-improvement programs and behavior (*redencion*), and work-release programs (*extramuro*).

1.1.3. ACTIVITY: Regulations for the Law on the Execution of Penalties.

- Completed in July, 2003.
- Produced working document.
- Vetted document with counterparts through workshops, other forums. Participants included officials from the existing *Régimen Penitenciario*, wardens from four penitentiaries in the La Paz area, representatives from the Sentence Execution Judges, Defensor del Pueblo, and representatives from civil society organizations that work with inmates (Pastoral Penitenciaria, CEJIP, CDC y Confraternidad Carcelaria).
- There are two sets of regulations. Work on one set dealing with supervision of the system was not completed owing since the Vice Ministry of Justice assumed responsibility for the supervision of the prison system in June, 2003 and USAID regulations prohibit provision of development assistance law enforcement, including prison systems.

1.1.4. ACTIVITY: Law of Judicial Organization (Ley de Organizacion Judicial).

- Limited advancement during Phase III.
- Legislation that would update this law developed largely by the representatives from the Bolivian Supreme Court and approved by the Senate in 2001
- Technical assistance for modifications to the legislation to ensure that the criminal jurisdictional organization resulting from a new law is consistent with the NCPP, and also to provide a basis for resolution of inter-institutional conflicts within the Judicial Branch that are impeding its effective operation.
- Ongoing meetings with Supreme Court, Judicial Council, Congress result in little advancement. Conflict between Supreme Court and Judicial Council are principle obstacles to progress.
- Provided assistance to prepare the final report from the Camara de Diputados comisión to which the legislation was assigned.
- Lobbied for congressional movement on the law.

1.1.5. ACTIVITY: General Law on Customs (Ley General de Aduanas).

- Completed in the latter half of 2003.
- Provided technical assistance to both the General Customs Administration (Administración General de Aduanas), as well as to the Ministry of Finance and the Nacional Tax Service.
- Supported decision to combine the topics to be dealt with in legislation to modify the customs law together with legislation to modify the tax code (see 1.1.6, below).
- Successfully inserted language remanding criminal violations of customs and tax law for processing under the NCPP rather than creating a separate regimen, with the exception of some special processes unique to each institution.
- The legislation effecting changes to the Customs and Tax code was passed by the Congress on July 30, 2003 and signed into law on August 4, 2003.

1.1.6. ACTIVITY: Tax Code (Codigo Tributario).

- Completed in August, 2003. See 1.1.5., above.

1.1.7. ACTIVITY: Supreme Decree of the Public Defender

- Completed. The legislation was passed by Congress and signed into law on August 4, 2003.
- Significant technical assistance provided for the development of this law, originating as a project to develop a decree for presidential signature, and evolving into full blown legislation to implement a National Public Defender Service.
- Proposed legislation was drafted by program technicians working and reviewed jointly with relevant counterparts from the Vice Ministry of Justice (VMJ).
- The draft contains some ambiguities. In certain cases the law contains provisions that are not ideal, and in these cases AOJ technicians could not sway local legislators from supporting the less than optimal construction of the legislation. At the same time, these ambiguities allow for greater flexibility in the development of specific implementing regulations. Overall the passage of this law is an important advancement for the Bolivian justice sector.
- The program provided assistance to the Chamber of Deputies and Senate sitting in full session, including talking points, on the spot technical explanations, development of new clauses, and other related technical support.
- Technical assistance to the Vice Ministry of Justice for the development of the needed regulations, including a baseline proposal, execution of workshops, and developing consensus between the Vice Ministry of Justice and the Executive Board of the NPDS.
- The proposed regulations reached initial finalization and as of December 31, 2003 were under review by appropriate executive branch officials.

1.1.8. ACTIVITY: Law on Responsibilities.

- Completed for the Judicial Branch.
- Provided technical assistance to the Constitutional Committee for the development of a report to be presented to the entire chamber of deputies on proposed law developed with TA from the AOJ program and introduced in the 2000 legislative session.
- Directed to suspend work on this law in July, 2002 by USAID.
- With political obstacles to serious reform still present, provided technical assistance for a reformulated set of three separate pieces of legislation-- one covering the executive branch, another covering the judicial branch (Ministers of the Supreme Court, of the Magistrates of the Supreme Court, of the Magistrates of the Constitutional Tribunal, of the Magistrates of the Agrarian Superior Tribunal, of the General Prosecutor and of the Counselors of the Judicial Council), and the third covering the legislative branch. The hope is that by dividing the three branches to be dealt with, progress can be made at minimum on the Executive and Judicial branch pieces, and eventually implicitly create pressure for passage of a serious law dealing with Congress.
- Building on the above strategy, re-initiated technical assistance to Congress during the July to September 2003 period for the development of new draft legislation called the *Ley Procesos para el Juzgamiento de Altas Autoridades del Poder Judicial y Fiscalia General de la Republica*.

- Development of a draft legislative proposal, technical explanations of its contents, development of reports for the relevant Senate Commission, talking points for members of congress, and other presentational material.
- Technical assistance for consensus building workshops with involved institutions—Supreme Court, Constitutional Tribunal, Judicial Counsel, and Prosecutor General.
- Technical assistance was provided to the Constitutional Commission of the Chamber of Deputies as reviewing chamber for both legislative drafting and report writing used for presentation to the full chamber of the Ley de Responsabilidades for the Judicial Branch.
- Monitored the legislation as it was returned to the Senate (chamber of origin) with changes, and provided TA as appropriate.
- Senate approved changes introduced in Deputies, and the law was passed and promulgated as Law Number 2623 on December 23, 2003.

1.1.9. ACTIVITY: Organic Law of the National Police (Ley Organica de la Policia Nacional).

- For all practical purposes this activity was removed as a serious area of work at the request of USAID. Instructions received in September, 2002 resulted in our activities with police being restricted to limited training.
- Continued to look for political opportunities to move forward with exiting pending legislation which, although inadequate, would represent a step in the right direction.

1.1.10. ACTIVITY: Technical assistance for the Community Justice Law (Ley de Justicia Comunitaria).

- Analysis of community justice law issues. Key issues raised in early 2002 included: would the results be supportive of democracy or consolidate ethnic and class divisions and supremacy of laws issues to prevent large inconsistencies in dealing with sensitive criminal justice issues—e.g., narcotics related offenses.
- Draft community justice laws produced.
- The Bolivian Congress did not wish to deal with this as a priority in the 2001 legislative sessions.
- The national campaign leading to the national elections in mid 2002 distracted the Congress from serious advancement on most laws, as did the results of that election; i.e., a narrow win for the MNR with Evo Morales as very close runner up.
- This was followed by widespread social disturbances in February of 2003, followed by a second set of disruptions in October of the same year, made advancement on the topic of community justice near impossible.
- No vice minister wished to deal with this law as a priority. Then-Vice Minister of Justice Vargas explicitly determined in mid 2003 that we should not pursue activity around this law.
- Future work on this law should focus on developing mutual adaptation by the formal and community justice systems at points of intersection; clarify that certain crimes cannot be processed through community justice due to a compelling state interest in those crimes; and on looking for ways to incorporate community justice as an informal sub-system, rather than a competing system. The recommendations, made in early 2002, are still relevant as USAID embarks on establishment of community justice centers in El Alto.

1.1.11. ACTIVITY: Criminal Code (Codigo Penal).

- Worked with the GTZ to organize a seminar held in November, 2001 entitled “Evaluation of Substantive Criminal Law” to establish principles for review of Criminal Code and explore areas needing reform.
- Determined key needs as orienting the reform in the context of criminal justice policies consistent with the Rule of Law, harmonizing Bolivian criminal law with international agreements to which Bolivia is a signatory, and incorporating into a unified Criminal Code matters defined crimes and dispersed through a variety of distinct laws (Ley 1008, Ley del Medio Ambiente, Ley General de Aduanas, etc.). Although this group of largely civil law trained attorneys felt this would be desirable, a more practical approach might involve production of supplemental references that re-organize all crimes as defined in multiple distinct laws into a single digest. Raising this variety of laws for the purpose of properly organizing them also opens the possibility of re-opening the substance of the laws for discussion.
- Technical assistance for preparation of the seminar report.
- Worked with MOJ officials to ensure inclusion of topics in future seminars considered priority topics for the AOJ program, including addressing the use of informants as witnesses at trial and the need to create exceptions to allow these individuals not to be prosecuted for “participating” in the crime (*participes del hecho delictivo*).
- Provided assistance regarding the *Ley de Traficio en Niños, Niñas y Adolescentes*, which defined new crimes under Bolivian law focused on child protection. The aforementioned assistance was provided focused on the criminal justice aspects of the law. During January to March, 2003 the Senate Constitutional Commission was the focus of activity in March, 2003 to the Senate Constitutional Commission. Addition of these new crimes to the Criminal Code was approved by Congress and became law in November, 2003.
- Various developments impacting on the NCPP arose and the program provided technical assistance in response to these GOB priorities, which dealt with changes to the NCPP’s medidas cautelares provisions and changes impacting elements of the Criminal Code. See the information provided at 1.1.1., above.
- Developed plan for advancing criminal code reform with VMJ Vargas. Consultant who we worked with to develop plan later became VMJ.
- Technical assistance to avoid subordination of the UIF to the Superintendancy of Banks, which would have potentially subjected the UIF to political and bureaucratic interference in the execution of its functions.

1.2 RESULT: LEGAL REFORMS ASSOCIATED WITH THE NCPP AND REQUIRED TO ENABLE/CONSOLIDATE THE NCCP ARE IMPLEMENTED AND ENTER INTO FULL EFFECT.

1.2.1. ACTIVITY: Technical and legal monitoring of work developed by other AOJ project areas.

- This was an ongoing activity involving technical legal support to the training and public awareness areas of the program. The specifics of this work are reported on in the report for the respective program areas, below.

SPECIFIC OBJECTIVE 2 - INSTITUTIONAL STRENGTHENING. KEY INSTITUTIONS OF THE BOLIVIAN JUSTICE SYSTEM ARE MODERNIZED AND STRENGTHENED IN ORDER TO OVERCOME THEIR INSTITUTIONAL WEAKNESSES AS OUTLINED IN THE NATIONAL IMPLEMENTATION PLAN (NIP) RECOMMENDATIONS FOR THE IMPLEMENTATION AND MONITORING OF THE CCP.

RESULT 2.1. THE ANNUAL OPERATING PLANS OF EACH JUSTICE SECTOR INSTITUTION ARE DRAFTED AND IMPLEMENTED IN COMPLIANCE WITH THE CCP NATIONAL IMPLEMENTATION PLAN.

2.1.1. ACTIVITY: Technical assistance in the development of work plans and budgets for each justice system institution.

- Completed. Selected activities completed described below.
- Pursuant to our work plan and in coordination with the Ministry of Finance instructions on how to prepare valid Annual Operating and Strategic Plans, we proceeded to provide assistance to justice sector institutions for the development of Strategic and Annual Operating Plans (*Plan Annual Operativo*, or POA).
- The Judicial Branch had previously received extensive training and assistance from the AOJ Program on the preparation of Strategic Plans and POAs, and no longer required AOJ Program TA.
- All of the workshops and sessions were prepared with the active involvement and participation of the institution, from initial organization and planning through to conclusions and preparation of documents.
- Efforts made to determine the persons within the Ministry of Finance would be responsible for making final budget allocation decisions, so that the institutions we are assisting could carry out targeted lobbying in support of their budget requests.
- Results included professionally developed strategic plans and POA that reflected institutional priorities and support proper implementation of the NCPP.

Public Ministry

- Coordination with Secretary General of the Public Ministry. 9/2/02
- Coordination meetings between General Coordinator of the Public Ministry and program technician. 9/3-4/02
- Development of directives 045/02, 046/02 and 047/02 related to development of the Public Ministry's strategic plan and 2003 POA. 9/4/02 and 9/13/02
- The directives are issued to advisors, directors, and acting District Attorneys. 9/5-13/02
- At the district level, projects, objectives, goals, and activities are prepared considering the upcoming strategic plan and POA development session. 9/6-10/02
- AOJ Program and GTZ facilitators were selected to provide technical assistance for the development of the Fiscal career position ladder (*escalafon*). AOJ also provided assistance for other Ley SAFCO subsystems, namely the Planning Sub-System (Sub-Sistema de Planificacion – SISPLAN), (Sub-Sistema Nacional de Invesion Publica – SNIP), Operations Planning Sub-System (Sub_sistema de planificacion operative – SPO), Organization and Administration Sub-System (Subsistema de organizacion y adminstracion – SOA), (Sub-Sistema de Administracion de Personal – SAP), (Sub-sistema de administracion de bienes y servicios – SABS). 9/11-12/02

- Joint review with Public Ministry officials of internal and external legal, administrative, and organizational antecedents of the Public Ministry. 9/12/02
- AOJ technicians, as well as Acting District Attorneys and Administrative personnel are deployed to Sucre by the AOJ Program. 9/16/02
- Technical and coordination meetings are held between Secretary General Fiorillo, Nacional Administrative and Financial Director Zurita, and Coordinator General Solis together with AOJ technicians, and a GTZ. 9/16/02
- Following up on the above preparatory work, a three day session is held in Sucre with representatives from Public Ministry offices throughout Bolivia to develop the institution's strategic plan and 2003 POA. Financed by the AOJ Program with additional support from the GTZ.
- Distribution of workshop results and draft strategic plan.
- Document distribution to administrative officials at the District level to assist in compliance with the requirements of the Ley SAFCO and thereby support the correct implementation of the 2003 POA. These include: Ley Safco 1178 on Basic Rules and the Nacional Planning System; Basic Rules of the National Public Investment System; Basic Rules of the Operations Programming System; Basic Rules of Administrative Organization Systems; Basic Rules of the Personnel Administration System; and Basic Rules of the Goods and Services Administration system. 9/18/02
- Finalization of the Strategic Plan and 2003 POA internally within the Public Ministry. These documents were developed 9/20-30/02
- Final reports on the strategic planning and 2003 POA development process prepared by AOJ technicians. 9/25/02

Policia Tecnica Judicial

- Coordination and planning meetings with PTJ Nacional Director Cnl. Victor Hugo Rodriguez, La Paz Departmental Deputy Director Cnl. José Luis García; Chief of the Economic Division, Major Augusto Angulo; and Chief of Planning, Lt. Miguel Ocampo. Provided technical support and assistance. 8/19/02
- Distribution of the Specific Regulations for the Operations Planning System of the PTJ to the persons named above so that knowledge of same would be had and a process for developing the 2003 POA could be defined and agreed upon. 8/20/02
- Development of *Instructiva No. 012 / 2002*, with relevant forms, to be issued throughout the PTJ to collect necessary information to prepare the POA. 8/22-26/02
- First review of *Instructiva No. 012 / 2002*. 8/27/02
- A strategic planning workshop was held during which a FODA analysis of the PTJ was conducted, along with definition of key principles, values, mission and vision. This was done so as to be consistent with strategic objectives defined in *Instructiva No. 006 / 2002* from the Commander of the National Police. Final review of the proposed *Instructiva No. 012 / 2002* was also completed.
- Although the process was valuable, reform of the National Police will require a more defined long-term process that also involves civil society and other justice sector institutions. 8/29/02 – 9/3/02
- *Instructiva No. 012 / 2002* is sent to Departmental Commands. 9/6/02
- Completion of the forms in accordance with the specific regulations applicable to POAs and related *Instructivos*. 9/6/02
- PTJ conducts site visits to Departmental Commands (SCZ, CBB, LPZ), (TDD, CBJ, ORR), y (TJA, SCR, PTS). 9/15/02

- Departmental level workshops financed by the AOJ program are held. Participants included the Departmental Administrative Director and heads of each area/division. 9/16-25/02
- Specific directive is received from USAID to engage only in limited training with the police. From this point forward, the AOJ Program begins terminating its non-training related activities with the police. 9/24/02
- Departmental commands begin returning completed forms to the PTJ Command in La Paz. 9/21-25/02
- The final POA for the PTJ is developed by the institution, incorporating and consolidating information and data received the 9 departments. Leads within the institution are La Paz Departmental Deputy Director (García); Chief of the Department of Planning, (Ocampo); and Chief of the Economic Division (Angulo). 9/26-30/02

Ministry of Justice

- Initial protocol visits with the then recently appointed Minister of Justice, Gina Méndez Hurtado. Coordination meetings are executed. 8/27-30/02
- Following up on these contacts, AOJ technicians have coordination meetings with various authorities from the ministry to begin planning of sessions. 9/3-4/02
- Workshop to determine Strategic Objectives for the MJDH is held at the Casa Grande Hotel with the participation of the Minister and facilitated by AOJ. 9/6/02
- Review and adjustments to 2003 POA forms and development of the directive to be issued to key authorities to complete the required information. 9/10-13/02
- Workshop on use of POA forms facilitated by the Management and Reform Unit of the MJDH. 9/18/02
- Issuance of the directive within the Ministry to Vice-Ministers, Directors, and Unit Chiefs. Viceministros, Directores y Jefes de Unidad. 9/19/02
- Completion of forms and information gathering within the Ministry. 9/20/02 – 10/4/02
- Workshop on the relationship between the MJDH and Civil Society, facilitated by the GTZ. Taller de Expectativas sobre el Ministerio de Justicia y Derechos Humanos con organizaciones de la sociedad civil, bajo la facilitación de GTZ. 10/7/02
- Technical and coordination meeting between the Chief of the MJDH Financial Unit, Lic. Carlos Rojas; the Chief of the Management and Reform Unit, Lic. Guido Jines; and Raphael Metzger and Fernando Davila of AOJ. 10/9/02
- Following up on groundwork to date, a three day session to develop a more finalized and detailed strategic plan and 2003 POA. This was the major event advancing completion of the strategic plan and the POA. 10/10-12/02
- Development of the finalized Strategic Plan and POA internally within the MJDH. 10/14-31/02
- AOJ development of final reports on the Strategic Plan and POA. 10/29-31/02

2.1.2. ACTIVITY: Technical assistance and financial support for the construction and/or equipping of Model Courtrooms.

- Completed.
- Equipped the Juzgado de Instrucción of Chuma, Provincia Muñecas of La Paz, and Potosi with a complete set of courtroom furniture.

- Equipped courtrooms for mock trial practice at the Universidad Mayor de San Simón in Cochabamba.

2.1.3. ACTIVITY: Technical assistance for implementation of the Forensic Investigations Institute (Instituto de Invetigaciones Forenses, or IIF). Phase I.

2.1.4. ACTIVITY: Technical assistance for implementation of the Forensic Investigations Institute (IIF). Phase II.

- Completed. These activities are reported on together because of their highly inter-related nature.
- Provided technical assistance to the Public Ministry for the development of profiles and descriptions of the management personnel needed for operation of the IIF. These profiles were completed on September 20, 2001.
- Completed the competition process for selection of a headhunting subcontractor to search for candidates to serve as the Director of the IIF. The firm PROACTIVA was selected, approved of by the Public Ministry, and retained on September 21, 2001 (with PL480 funds) to conduct the search, check candidates background and references, and making a recommendation.
- Final recommendation from PROACTIVA received and forwarded to the Public Ministry for consideration.
- Public Ministry concurred with the recommendation and named the new IIF Director on January 02, 2002: Jorge Nunez de Arco.
- Conducted visits to Sucre to review program progress with Attorney General Crespo.
- Provided feedback on the appropriate scope of IDIF activities as per the law, and also raised the practical considerations of cost and staffing levels that would be needed to accommodate his vision.
- Provided ongoing guidance and technical assistance to IDIF leadership.
- Provided TA for development of the organizational structure and planned size of the institution. Succeeded in providing technical guidance to reduce the scope of plans to be more consistent with resource limitations and changing the site for the first regional center to La Paz, which is consistent with the distribution of need for services of the IDIF (i.e., statistically, more crimes requiring the services of the IDIF occur in La Paz).
- Provided assistance for the development of draft 1) Functions Manual with position descriptions; 2) Forensic Medicine Regulations; 3) Forensic Medicine Manual and 4) Crime Scene Processing Manual.
- Completed workshop (March 2, 2002 - Hotel Europa) to present the new, planned structure of the IDIF.
- Determined financing required to fully implement the IDIF.
- Secured Public Ministry concretization of its commitment to operationalizeing the IDIF with the issuance of a formal resolution (number 002/2002) signed by the Attorney General committing 29% of the estimated financing necessary to fully launch the IDIF.
- Secured Public Ministry resolution approving organizational structure of the IDIF as four regional offices (La Paz, Sucre, Cochabamba, and Santa Cruz) and five district offices (Beni, Pando, Oruro, Tarija y Potosí).

2.1.5. ACTIVITY: Technical assistance for implementation of the Inspector General (IG) in the Attorney General's Office.

- Completed.
- Provided TA for development of draft set of regulations to govern the operation of the Inspector General function in the Public Ministry.
- Submitted September 2001 to the *Fiscalia General* for consideration and approval.

2.1.6. ACTIVITY: Technical assistance for implementation of the Criminal Policy Unit (CPU) within the MJDH.

- Completed preparation on December 18, 2001 of a justification for proposed expenditures of PL480 funds to undertake activities that will support, and are designed to lead to, the establishment of the CPU by the Ministry of Justice.
- Worked with then Vice-Minister Carlos Goitia to produce a draft of the Supreme Decree that will be needed to formally create the CPU with the approval of then Minister Mario Serrate.
- Vetted draft documents with the Supreme Court, the Ministry of Government, the Minsiterio Publico, the National Police, and the Congress.
- Recommended first the creation and consolidation of the CPU as a technical focused unit which could independently produce impartial data and analytical reports for use by such a national commission to be created at a later date.
- Secured VMJ decree creating the CPU.
- TA for preparation of draft data collection instruments for use by the CPU along with data from sources such as IANUS and INSEPECTOR.

In the reporting period Oct to Dec 2003

- Based on the VMJ's prior approval, and after completion of a competitive selection process, staff (one coordinator and two analysts) were selected by a mixed committee consisting of AOJ Program and VMJ personnel.
- Equipment, including desks and computers, were acquired for the staff.
- Worked to obtain access for the CPU to data from the IANUS and other data systems.
- Provided limited Financing for the CPU operations as planned for with PL480 currency.

2.1.7. ACTIVITY: Technical assistance for Implementation of the Public Access Project (Plataforma de Aceso Publico or PAP Project) in District Attorney's offices.

- Provided TA for development of the Public Access Project in August, 2001.
- Organized concept development meetings within the AOJ program and with Public Ministry officials, including the Director of Communications, the *Asesor General*, the *Fiscal Adjunto*, and the Director of Administration and Finance.
- TA for drafting of document defining the scope, purpose, and operations of the PAP completed in November, 2001 and forwarded to the PM in December, 2001.
- Site visit to Sucre to determine space where furniture will be placed to implement the PAP.
- Provided ongoing technical review and advice to the Public Ministry on how to implement this activity, although there appears to be a desire to reformulate the initiative to accomplish more than it should.

- Acquired the furniture and equipment needed to implement this project with PL480 funds.
- Sent letter to AG Crespo in February, 2003 expressing concerns over the progress of implementation of this initiative.
- Assistance to support the development of regulations and policies to implement the *Plataforma*.

2.1.8 ACTIVITY: Institutional Strengthening of the Public Ministry.

- This was an ongoing activity that should be cross-referenced with activities 2.1.1., 2.1.3, 2.1.4., 2.1.5, 2.1.7, 2.1.9., 2.1.12, and 2.2.1, all of which also assist in Strengthening of the Public Ministry.
- Provided technical assistance for the completion of an organizational analysis of the Public Ministry, completed on October 23, 2001.
- Completed outlines for development of Public Ministry organizational charts, operating manuals (*manuales de funcion*), policies, procedures, and regulations by October 26, 2001.
- Completed general outline for a plan to support advancement of Public Ministry reform efforts, October 2001.
- Additional technical assistance for the development of primary organizational charts completed by November 7, 2001.
- Responded to a series of June 2002 specific requests from AG Crespo as detailed in Annex A, with USAID approval. In all cases we sought to obtain a commitment of personnel or other resources from the Public Ministry itself to support sustainability.

Unidad de Intervencion Inmediata – Inspectoria (not to be confused with the Inspectoria General)

- TA provided for implementation of the Unidad de Reaccion Inmediata (UDRI) on a pilot basis in Cochabamba, utilizing AOJ technicians and Public Ministry to conduct on site inspections as per design work assisted technically by the AOJ Program. The pilot was such a success that the Attorney General pressed for replication of the UDRI in remaining jurisdictions throughout Bolivia.
- TA for implementation of the UDRI in seven districts was completed by the end of 2002.
- Completed a comprehensive report on the state of the Public Ministry called “Programa de Inspectoria en el Ministerio Publico” in early 2003.
- Reviewed report together with a representative from the Public Ministry designated by AG Crespo. Comments were discussed, agreement achieved, and these comments were incorporated into the report, which was sent to AG Crespo as a draft Public Ministry document resulting from their INSPECTORIA project for which we provided technical assistance.
- Followed up with the Public Ministry to secure approval to publish the report have not met with success. The report nonetheless is a useful guide for USAID’s program and the public ministry itself should it decide to take the report seriously and act on its recommendations.

Plataforma de Atencion al Publico

- Provided mainly technical review and advice to the Public Ministry on the design of the activity and how it should be carried out, by whom, and other such factors.
- Solicited proposals for: 20 waiting benches, 5 Gaveteros, 5 semi-circle displays, 5 interview tables, sixty chairs for the interview tables, 15 standing displays. Invitations to submit price quotes were provided to MOBLART, SOMAIN, JACARANDA, MOBILIA, ARTEMOBILE.
- Provided material support in the form of required furniture to equip the public access points selected: La Paz (El Alto), Santa Cruz, Cochabamba and Sucre. The funds source is PL480.

Plataforma de Atencion a la Victima

- Assistance provided for the development of organizational charts for the Protective Unit (victims, witnesses, and others) consistent with the NCPP. Sent to the Ministerio Publico in May, 2002.
- Completed acquisition of goods after soliciting proposals from local vendors MOBLART, SOMAIN, JACARANDA, and MOBILIA ARTEMOBILE to acquire for the plataforma de atencion a la victima: 1 large desk, 7 mid size desks, 16 chairs with arms, 1 meeting table, 12 meeting table chairs, 3 waiting benches, 2 gaveteros, 1 large sofa, 1 small sofa, 1 matching chair, 1 ecógrafo and 1 x-ray machine.

Other

- Acquired a photocopier, fax, computers, and other key office equipment for the Public Ministry's Training Institute.
- Equipment for the PROSAVI initiative, dealing with assistance and protection of victims of crimes, has been procured. Its full implementation by the Public Ministry is still pending. A letter was sent to AG Crespo in February expressing concerns over the progress of implementation of this initiative. Equipment and furniture have all been acquired, but implementation is pending resolution of conflicts between the IDIF and the Public Ministry leadership.
- Computer equipment to facilitate secure communications between the Financial Investigations Unit, the Public Ministry, and police (FELCN – PTJ) has been installed and this initiative is complete. As per prior agreement with DEA and NAS, USAID has financed that portion allocable to the Public Ministry and the UIF, while DEA and NAS cover costs allocable to police.
- Technical assistance for the Public Ministry management's evaluation of its prosecutors.
- Provided technical assistance to support understanding regarding how to implement various specific regulations, including the Administration of Goods and Services System; the Budget System; the Treasury System; and Complete Accounting System. Aided in the development of procedures manuals to establish systems for the administration of goods and services, budgets, accounting, and related topics.
- Technical assistance for the development of budget execution by cost category for 2001 and 2002.

2.1.9. ACTIVITY: Technical assistance for validation and implementation of the Police - Prosecutor Functions Manual with both groups.

- Completed.
- Established a consensus based process between police and prosecutors to overcome institutional rift sourced in the police's perceived loss of power under the NCPP to prosecutors and produce a jointly agreed upon manual.
- Technical assistance to finish producing a baseline document prepared in Phase II of the AOJ program.
- Facilitated consensus review and approval of the conceptual framework for the manual between the PTJ and the PM representatives serving on a special committee by November 28, 2001.
- Facilitate consensus based, detailed review of the manual by PTJ and Public Ministry representatives during February 7 to 8 and 14 to 15, 2002, with sessions at the Hotel Europa.
- Facilitated signing of a joint document that was then directed to institution heads.
- Drafted of an inter-institutional agreement between the Ministerio Publico and the National Police to formally issue and implement the manual within each institution.
- Overcame complications to moving forward on the agreement when a new Commandant of the National Police was installed, and among his first actions was

replacing Col. Andres Sanchez, head of the PTJ, who had been part of the consensus process for approval of the manual.

- Briefed the new Commandant, Col. Rodriguez, on the AOJ program and our assistance to the Public Ministry for development of the police – prosecutor’s functions manual.
- Responded to and clarified erroneous criticisms of the manual made by OPDAT.
- Intense, prolonged lobbying, troubleshooting, and technical intervention over a period of weeks to secure the agreement of the police and the Public Ministry to sign the inter-institutional agreement implementing the manual. Overcame last minute maneuvers by the police to avoid signing the agreement through intense lobbying of the Attorney General.
- Assistance for graphic design, layout, and printing of the manual (1500 units).
- Aforementioned activities involving police were coordinated with ICITAP.
- Designed and implemented training of trainers in La Paz, Cochabamba and Santa Cruz for police and prosecutors on how to use the manual, crime scene cooperation, and other NCPP related topics.

2.1.10. ACTIVITY: Conducting a comprehensive evaluation of the full implementation of the NCCP through workshops (consisting of monitoring activity to be developed with the Legal Development and Training Area).

- Completed.
- Organized and implemented a national conference, *Jornadas de Analisis I: Ejecucion y Aplicacion del NCCP*.
- Produced a detailed conference report tabulated and indexed to allow ease of use in overcoming obstacles to optimum implementation of the NCCP.

2.1.11. ACTIVITY: Implementation of the Criminal Records Registry (*Registro de Antecedentes Penales, or RAP*).

- Completed.
- Periodic follow up with counterparts to determine if feedback is ready.
- TA for development of the draft of a Criminal Records Registry (Registro de Antecedentes Penales, or RAP) project.
- Secured Judicial Council approval of the RAP project on December 31, 2001.
- Acquired nine personal computers (complete systems) and nine scanners, for use in digitizing hardcopies of legal documents into the RAP system.
- Monitored and advised on adjustments to the RAP software made by the Consejo de la Judicatura’s IT staff to ensure that it would be usable over a national-level network, and with interconnectivity with the IANUS system.
- Reports indicate RAP is operation in all 9 Bolivian departments.

2.1.12. ACTIVITY: Implementation of the Case Liquidation/Dismissal (*Liquidación*) System.

- Prepared initial inventory of criminal cases still pending and without movement under the 1973 Criminal Procedures Code.
- Published in November, 2001 a list of 35,000 non-active cases and therefore subject to liquidation as per the NCCP.

- Technical assistance to the Supreme Court and Judicial Council to overcome inter-institutional conflicts serving as an obstacle to effective identification of all non-active cases.
- Ongoing follow-up with the Consejo de la Judicatura, principally Teresa Rivero, and other Consejo officials to determine the status of their listing and cataloging efforts.
- Organized a series of workshops and meetings with the Consejo de la Judicatura, Supreme Court, and Public Ministry to review and develop a more specific strategy to help ensure case liquidation within the prescribed legal timeframe. Personality and institutional conflicts between the Supreme Court and the Consejo de la Judicatura did not permit a joint meeting at first, but we were able to overcome these difficulties in the follow up meetings.
- Provided critical technical support for the liquidation process.
- Published follow up lists of additional inactive cases on October 13, 2002, approximately an additional 15,000 cases.
- Technical assistance for the review and finalization of circulares issued by the Attorney General pursuant to case liquidation strategies and activities identified in the AOJ program sponsored meetings.
- Lobbying to overcome lack of inter-institutional coordination when the Public Ministry failed to coordinate the issuance of its draft circular as agreed to in meetings.
- Throughout 2003 held follow up workshops and meetings in Sucre with representatives of the Supreme Court, the Consejo de la Judicatura, and the Public Ministry. These more intensified meetings resulting in the production of a specific set of tasks for each institution to further advance the process of case liquidation, as well as a prioritized list of cases based on criteria agreed upon at prior meetings.
- Facilitated issuance by the Supreme Court issued of various notes / circulares to their personnel consistent with the conclusions and next steps reached during the aforementioned meetings.
- Drafted modifications to the case liquidation provisions of the NCPP for possible use in the fall of 2003. Met with NAS and DEA to ensure coordinated approach with GOB on this issue.

2.1.13. ACTIVITY: Implementation of the Central Notifications System

- Completed in November, 2001.
- Provided technical assistance for defining a model for the Central Notifications System as an embedded component of the IANUS case tracking system, and developing the software based on this model. This system uses data from the Bolivian *padron electoral* to randomly select individuals for participation in oral trials as citizen judges.

2.1.14. ACTIVITY: Strengthening of the Ministry of Justice.

- Technical assistance for the planning and execution of the *Subgrupo Estado de Derecho* and the *Comite Ejecutivo de Implementacion* events that took place in September, 2001.

Chimore Human Rights Center

- Financed the operations of the Vice Ministry of Justice's Chimore Human Rights Center.
- Monitored Center operations, including numbers of types of cases attended to. Notwithstanding employment agreements between the AOJ contractor and these

staff, the Center is a dependency of the Vice Ministry of Justice. The AOJ Program does not directly supervise the personnel of the Center.

- Technical assistance for the development of workplans and a budget for the Ministry of Justice's Human Rights Center in Chimore.

Defensa Publica

- Assisted in brokering an agreement executed on May 7, 2002 in Tarija between the then Ministry of Justice and four public universities: the Universidad Mayor de San Andrés of La Paz; the Universidad Mayor de San Simón of Cochabamba; the Universidad Mayor de Gabriel Rene Moreno de Santa Cruz; y the Universidad Mayor de Juan Misael Saracho de Tarija. This agreements provides for top students from each university to serve as interns in the *Defensa Publica*, assisting the work of public defenders.
- Met with Vice-Minister of Human Rights Luis Revollo in September 2002 to discuss financing and training needs of Public Defenders.
- Strategy and coordination meetings with the Director of the Public Defense, Dr. Oscar Montaña.
- Participated in the international public defenders congress in Costa Rica organized by ILANUD, INECIP, the *Centro de Estudios de Justicia de las Americas* and resulted in the signing of a cooperation agreement for the training of public defenders in Bolivia.
- TA for review of the Public Defender Law passed in the Fall of 2003 and to provide assistance for the development of appropriate implementing regulations, including for Operative Programming SystemI; Administrative Organization System; and Budget System.
- Technical assistance for development of an organizational structure; annual operating plan and budget for 2004; operations manual for NPDS employees.

Centro de Información y Orientación Ciudadana (CIOC)

- Assistance for the creation of a citizen information access center to assist the MJDH respond to citizen queries related to the NCPP.
- Assistance for development of detailed plans and parameters of CIOC implementation.
- Preparation of rehabilitation design, furniture, space needs, etc.
- Assistance for the convening of a press conference.
- Acquisition of equipment, furniture and completion of space rehab completed by December 2002.
- Contracted CIOC personnel in the first quarter of 2003.
- Civil disturbances in February 2003 required us to put on hold further CIOC support as a shake-up in the Sanchez de Lozada administration resulted the redesignation of the Ministry of Justice as a Vice Ministry within the Ministry of the Presidency—a cost cutting measure.

RESULT 2.2. IANUS CASE TRACKING SYSTEM EXPANDED TO AT LEAST 7 OF 9 BOLIVIAN DEPARTMENTS, AND INTEGRATED AMONG THE COURTS, THE PUBLIC MINISTRY, THE INVESTIGATIVE POLICE (POLICIA TECNICA JUDICIAL, OR PTJ), AND WITH THE INVESTIGATIVE CASE-TRACKING SYSTEM, INSPECTOR.

2.2.1 ACTIVITY: Replication of the INSPECTOR System at the District Attorney's Office and the PTJ in Cochabamba and La Paz.

- Completed equipment and cable needs assessment in August, 2001.
- Developed a document with specifics on the replication of INSPECTOR in Cochabamba and La Paz in December, 2001 and forwarded to USAID for review.
- Approval of proposed expenditures of PL480 funds was received from the PL480 Secretariat in March, 2002.
- Worked with NEOTEC to develop and submit their proposal for replication of the INSPECTOR to the BAOJ Program for review.
- Monitored the institutional commitments of the Public Ministry and National Police to INSPECTOR replication. Public Ministry took positive concrete steps. Police were more laggard in their response.
- Retained the services of an IT specialist to assist in planning and proceeding on replication as appropriate.
- Investigated allegations of system tampering in Santa Cruz (a cut in the between the police and public ministry and database erasures). Database erasures were never substantiated.
- Conducted surprise site visits to Santa Cruz, Sucre, and Tarija in coordination with ICITAP to inspect INSPECTOR operations.
- Recommended that with respect to the police, INSPECTOR replication efforts be targeted down to division level to reward officers that use the system-- actual use with additional equipment and assistance.
- Based on program interventions and concerns, the police worked out a deal with ENTEL to secure free internet service that can allow a connection between PTJs and Fiscalias, in exchange for the presence of ENTEL vending machines on police property.
- Received and complied with USAID August 2002 directive to suspend any efforts to replicate INSPECTOR with the police, although training of police on how to use the system was still authorized.
- Completed cabling in La Paz for the Public Ministry.
- Trained three Public Ministry officials on the management of the system in early 2003 during a one month training. Provided the source codes for the software and TA for development of protocols to govern proposed changes to the system.
- Testing of the INSPECTOR system in La Paz, Sucre, and Santa Cruz beginning in June, 2003. Assistance for preparation of a database installation and testing manual and CD ROM.

2.2.2. ACTIVITY: Replication of the IANUS case tracking system (for criminal cases and judicial statistics).

- Coordinated with the technology/information systems team of the Judicial Council (*Judicial Council*) for design of a national-level replication plan. This was completed on November 22, 2001.
- Developed draft budget for replication of IANUS in Cochabamba and La Paz.
- Forwarded plans to USAID for technical approval in early January, 2002. Approval of proposed expenditures of PL480 funds was received from the PL480 Secretariat in March, 2002.

- Secured agreement from the Judicial Council to replicate IANUS completely in Sucre and Tarija, as well as to provide the cabling needed for Cochabamba and La Paz, with USAID/MSD providing hardware for the system's replication in the latter two cities.
- Organized workshop held on March 8, 2002 in Sucre to review the current status of the IANUS system with the Judicial Council and develop specific replication plans.
- Facilitated obtaining from the Judicial Council a specific workplan and budget.
- Met with PRI personnel Oscar Flores and their consultant Oscar Navarro, whom had been retained to evaluate the IANUS and other case tracking systems, to determine their position with respect to the IANUS system. They expressed their position that at the moment the IANUS system was the best available tool for case tracking and that therefore they would continue being supportive of national replication of the system.
- Deployed IT specialist to advise the Supreme Court on the best course of action for case tracking.
- Installed cabling in Cochabamba and La Paz for IANUS replication.
- Developed, then published RFP May 5, 2002 for cabling and related.
- Selected the firm DIMA to install the cabling in Cochabamba and La Paz. Completed cabling and procured equipment.
- Ongoing communication and coordination with the Consejo de la Judicatura and its IT personnel to maintain them informed of these developments.
- Provided thirty hours of training for 135 justice system operators, broken down as follows: four Juzgados de Instrucción cautelar (12 persons); three Juzgados de Sentencia (9 personas); four Tribunales de Sentencia (16 persons); six Juzgados de Instrucción liquidador (18 persons); four Juzgados de Partido liquidador (12 persons); two Tribunales de Sustancias Controladas (10 persons); three Juzgados de Ejecución Penal (7 personas); three Salas Penales (15 persons); two Salas Civiles (12 persons); one Sala Social y Administrativa (5 persons); five administrative support persons and 5 technical support persons. Reinforcement sessions are expected to be conducted in future reporting periods with certain persons requiring additional attention.

JURIS

- Supported USAID's securing an agreement with the Supreme Court to for the installation of a IANUS pilot (known as JURIS) at the Supreme Court in Sucre to handle case tracking for all *salas*—criminal, civil, and others.
- Presented the JURIS program to the full Supreme Court by the AOJ program, focusing on the design of the JURIS system to be installed: both civil and criminal case tracking relying on IANUS and legislation and jurisprudence searches through use of the Webinator database.
- Finalized installation of the Webintaor component of JURIS while a team from the Poder Judicial's IT department focused on the adaptations to IANUS.
- Completed first testing of the pilot system within 2 months of initiating work.
- Conducted demonstrations of the pilot system with the assistance of AOJ Program and Consejo de la Judicatura technicians. All present were very pleased with the results.
- The JURIS system was formally delivered to the Supreme Court in Sucre by USAID Mission Director Liliana Ayalde in a ceremony at the Supreme Court. All judicial branch authorities were present.

SPECIFIC OBJECTIVE NO. 3 - TRAINING. TO INSTITUTIONALIZE TRAINING AND TO ENSURE THE OWNERSHIP OF THE TRAINING PROGRAMS OF THE ORAL PROSECUTORIAL SYSTEM ENACTED WITH THE NEW CCP, BY THE KEY IMPLEMENTING INSTITUTIONS AND PARTNERS.

Pursuant to Specific Objective 3 in the Training Area, the BAOJ Program convened on September 3, 2001 a special workshop in the city of La Paz to plan training activities with GOB counterparts through to the end of Phase III. Participating counterparts included the Judicial Institute (*Instituto de la Judicatura*); the Public Ministry Training Institute (*Instituto de Capacitación del Ministerio Público*), the National Public Defender (*Defensa Pública Nacional*), the PTJ, and the Comité Ejecutivo de la Universidad Boliviana (CEUB). The results of this planning workshop, together with the SOW requirements, provided the basic details of the activities contemplated by MSD in the training area, including decisions to cancel certain projected activities.

RESULT 3.1. KEY IMPLEMENTING INSTITUTIONS INSTITUTIONALIZE CCP TRAINING PROGRAMS

RESULT 3.2. SPECIALIZED TRAINING PROVIDED TO PROSECUTORS, POLICE, AND MEDIATORS IN THE AREA OF PRIVATE AND SEMI-PRIVATE CRIMES

We note here as in our prior reports that the activities conducted pursuant to Result 3.2 should logically be conducted in a manner to support the achievement of Result 3.1, regarding institutionalization of training capacity. As such, we view it conceptually as subordinated to Result 3.1 and therefore report on activities pursuant to both results in a consolidated form. This change to the workplan was approved by USAID.

3.1.1. ACTIVITY: Planning, development of materials, and implementation of a post-graduate program on criminal procedure (*Post Grado*), jointly with the IJB, ICMP, DP, NP, CEUB, and Universities.

- This projected activity cancelled with USAID approval early in the program implementation period.

3.1.2. ACTIVITY: Planning, development of materials, and implementation of a post-graduate program on forensic and police sciences management, together with the participating institutions (ICMP, NP, UMSA), to be replicated in the future.

- Met with UMSA Faculty of Medicine and GOB counterparts in November, 2001 to develop consensus on a general schedule of activities to support the development of needed materials in the area of forensic sciences management.
- Obtained input from the UMSA and the PTJ on an outline of proposed contents of the curriculum for the Post Graduate Course on Forensic and Police Sciences.
- Assistance to UMSA professors for development of course materials, including their organization and structure, and planning courses for adults (this technical guidance is being incorporated into and used to modify the work products being produced by the professors).
- Conducted and facilitated technical reviews of course materials, the proposed timeframes and schedule of classes, outlines of course contents and methods, draft

agreements with the University for the implementation of the course, draft letters of commitment from course recipients, and other such topics.

- Ongoing monitoring and facilitation of module development and fulfillment of UMSA commitments, such as selection of a Course Coordinator.
- Assistance for planning the launch of the course on July 22 at the Hotel Europa.
- Preparation of promotional materials, including brochures, posters, explanatory video, and various other items.
- Started the first course in La Paz on July 23, 2002. The course had a duration of 5 months, held in the morning from 7:00 am to 9:00 am on weekdays and from 7:00 to 11:00 am on Saturdays. Participants were 26 prosecutors, 3 technicians from the Instituto de Investigaciones Forenses, 2 Forensic Psychologists, and 29 police from the PTJ. The course was held at the UMSA Medical School in La Paz and is scheduled to end in December, 2002.
- In the first quarter of 2003, various meetings were held with the course's coordinator at the UMSA related to the scoring and graduation of course participants. A final report from the UMSA coordinator for this initiative, Dr. Rolando Costa Arduz, was received in February.
- The La Paz graduation ceremony was held on February, 2003 at the Faculty of Medicine of the UMSA, and included the participation of AID DEMOSOT Director T. Sloan. Logistical assistance for conducting the event was provided by the project.
- Preparations began regarding replication of the course in Santa Cruz through the University Gabriel René Moreno. Meetings were held with the University, the Public Ministry Training Institute, and the National Police's *Dirección Nacional de Instrucción y Enseñanza*—counterparts through which the course is being institutionalized. Financing for police participation is covered by the German cooperation, GTZ. Through these meetings a specific timetable for implementation was developed, as well identification of instructors, criteria for selection of participants, and related administrative issues.
- Draft inter-institutional agreements to support the replica of the Diplomado were developed, including those for use with replicating universities and the training institutes of relevant GOB counterparts.
- Meetings with university officials in Cochabamba, from the *Universidad San Simón*, were executed in the second quarter of 2003 and replication of the course in this city began in the latter part of this quarter.
- Troubleshooting of administrative issues at the University in Santa Cruz involving lack of payment to instructors. Monitored and intervened in the situation via telephone. It is anticipated that program staff will need to travel to Santa Cruz for meetings with University officials to review and elicit compliance with the requirements of the agreement with MSD.

3.1.3. ACTIVITY: Specialized training and materials development for justice system operators in coordination with key institutions.

- Organized a workshop in September, 2001 with representatives from the Judicial Institute, the Public Ministry's Training Institute, the Defensa Publica, and National Police, and the Executive Committee of the University of Bolivia (*Comité Ejecutivo de la Universidad Bolivia*, or CEUB). Executed surveys with system operators on training needs.
- Data collection instruments developed and distributed to the various justice sector institutions. Obtained completed surveys by September, 2001 from relevant GOB

counterpart institutions (e.g., Public Ministry, the Public Defense, the Judicial Branch, etc.).

- Analyzed and findings used, together with other inputs (e.g., expertise of staff in training, technical assessment of system operators progress in absorption of the NCPP and its underlying concepts, etc.), to guide the development and implementation of the BAOJ Program training and materials development efforts, including selection of target groups and topics for specialized training and practice guides.
- Re-oriented the training focus to emphasize more practice based training.
- Developed specialized, role-focused training on trial advocacy/trial practice topics (e.g., trial preparation, witness examination, etc.), judicial discretion and decision making, and training on police – fiscal cooperation and roles, in the context of the NCPP, during the investigative stage. We refer to this below as Practice Based Specialized Training (PBST).
- Cooperated with the role-focused training known as the *Circuito Processal Modelo* being implemented by the GTZ, though we found this course to be limited.
- Cooperated with DEA in the organization of basic NCPP trainings for FELCN agents.
- TrainNet data is submitted under separate cover.

General/Basic Training

Introduction to the NCPP

- Designed, planned, and implemented a targeted training to provide basic, baseline information to recently appointed fiscales on the provisions of the NCPP. Approximately 192 prosecutors were trained as a result of the above described activities. The training schedule was:

Sucre:	January 30 to February 1, 2002
Cochabamba:	February 4 to 6, 2002
La Paz:	February 7 to 9, 2002
Santa Cruz:	February 28 to March 2, 2002
Beni:	March 25 to 27, 2002
Tarija:	April 18-20, 2002

Training for New Public Defenders

- Trained new Public Defenders in La Paz during the week of September 24, 2001 and a second course was held in Cochabamba from November 26 to 28, 2001.
- Included a PBST component (see below) that provided specialized training on examination and cross-examination and provide feedback on participant performance in mock trials. This training was designed as 50% theoretical/academic and 50% practical practice.

Uso del Manual de Funciones

- Prepared course materials. Reviewed existing materials, particularly materials related to *teoria del delito*.

Practice Based Specialized Training (PBST)

Adult Education Techniques and Course Planning

- Course design, materials preparation, and implementation complete by March 2003.
- Re-programmed one seminar into three separate seminars to respond to high demand for this course. Course held in La Paz and two in Cochabamba.
- Courses were held from March 14 to 16 in La Paz, and 18 to 20 and 21 to 23 in Cochabamba.
- The course was implemented with the intentional gradual transfer of responsibility for delivering selected portions of the course to BAOJ Program personnel, resulting that the BAOJ Program has internal capacity to replicate the course if it is determined to be needed again in the future.

Preparation for Trial

- Course design, materials preparation, and implementation completed.
- Implemented course in two, three day sessions with approximately 30 participants in each session.
- The courses were implemented from June 22 to 27, 2002 in Cochabamba at the Hotel Portales. Presenters were BAOJ short-term consultant Joseph Caldwell; Prosecutors Serrafin La Fuente and Ramiro López Guzmán; and BAOJ Program COP Raphael Metzger.
- Provided technical support to the Public Ministry's Training Institute for the development of materials from the original course continue to be further developed for use in replications, with certain materials directed to students and others being developed for use by instructors.
- Customized case materials for use by students dealing with the crimes of *homicidio* and *asesinato* were prepared.

Trial Management

- Provided technical support to the Instituto de la Judicatura for the development of materials from the original course continue to be further developed for use in replications, with certain materials directed to students and others being developed for use by instructors.
- In March the course was held, to re-inforce training content and concepts to a select group of individuals who had participated in one of the first three courses offered on this topic in 2002. Individuals for this reinforcement course were selected by the training institute with technical assistance from the program. Selection criteria included performance in the prior course, experience at trial, experience as a trainer, and other such factors.
- During these sessions the plan for replication of the course by the IJ was also established. Finalized course materials and supported replication.

Técnicas de Negociación y Conciliación

- Prepared course materials and the course design.
- Implemented course in La Paz from January 23 to 25. Consistent with the SOW for this project, representatives from the Brigadas Familiares were included in the course.
- Courses were also held in Cochabamba and Santa Cruz in January/February.

Judgement Drafting and Support

- The design and preparation process for this course culminated in its implementation in La Paz from August 18 to 19, in Cochabamba from August 20 to 21, and in Santa Cruz from August 22 to 23.
- The course had 64 participants (*jueces de sentencia* and *jueces tecnicos*) from each of the 9 Bolivian departments.
- Technicians supported the *Instituto de la Judicatura* in development of materials for course replication based on the course implemented in August, and taking into account feedback from course participants.
- The course was evaluated as positive by participants, although a longer course was solicited to allow more deeper examination of the issues presented. This is at odds, however, with pressures in the institutions for shorter, more efficient courses to reduce time away from work and to more efficiently manage the competing training programs of international cooperation.

Litigation

- The course provided coverage for all Bolivian departments and high-impact presence for the AOJ program. The participant breakdown was 204 from the Public Ministry, 79 Public Defenders, and 10 university instructors/professors.
- The first course was held in La Paz from the 18th to the 20th and included the participation of all three international and national experts. Trainers then split up into pairs of national – international experts and delivered the course in La Paz, Tarija, Cochabamba, Sucre, Santa Cruz, Trinidad, and Oruro between September 22 and October 2, 2003.
- Supported the *Instituto de la Judicatura* in development of materials for course replication based on the course implemented in August, and taking into account feedback from course participants.

Appeals

- Prepared course materials and the course design.
- Implemented course from October 21 to 23 and 24 to 26 of 2002.
- Targeted for participation vocales de las Cortes de Distrito de La Paz, Oruro, Cochabamba, Chuquisaca, Potosi, Beni, Pando, Santa Cruz, Tarija

Practice Guides

- The following guides have been completed for use by the general public: *Citizen Judges Guide*; *Victims Guide*;
- The following guides were completed for use by practitioners: *Direct Action Guide*; *Salidas Alternativas*; *Medidas Cautelares Personales*; *Juicio*.
- Each guide involved extensive planning, drafting and re-drafting, testing, graphic design and layout, and review to produce finalized versions.

Other

- *NCPP CD*: Completed. This compact disc contains laws, court decisions, and educational materials and guides related to NCPP implementation. 1,000 copies will be produced in the next reporting period.
- *Forensic Sciences Management CD*: Completed. Course materials (Modules 1 and 3 to 6) were digitized for inclusion in a CD ROM.

RESULT 3.3 UNIVERSITY LAW FACULTIES UPDATE THEIR CURRICULA TO THE REQUIREMENTS OF THE CCP.

3.3.1. ACTIVITY: Re-designing of Law School curricula at Universities within the public system for the purposes of institutionalizing a new university curriculum.

- Completed.
- Initiated its request to the CEUB in September, 2001 that it provide the curricula of all law faculties in the state university system.
- Follow up with officials in La Paz and local officials to ensure receipt of all curricula.
- Prepared detailed approach for managing the curriculum reform process in a politically sensitive public university system.
- Completed assessment results of university law school curricula by April, 2002.
- Workshops held with key representatives from the law faculties of universities throughout Bolivia from June 18 to 21, 2002 in Cochabamba. 53 participants representing the law faculties of the following universities were present:
- Facilitated reaching consensus on a workplan for completion of a new, revised curricula and approval at various levels within the CEUB's hierarchy.
- Supported creation of a committee to facilitate distribution and consensus on the new curriculum within each university.
- Supported creation of a harmonization committee to prepare the final document, comprised of representatives from the various courses in the criminal area: Criminology, Legal Medicine, Criminal Law I, Criminal Law II, Criminal Procedure, Criminal Forensic Practice.
- Organized and implemented workshops for the harmonization committee.
- Produced draft of complete curriculum redesign consistent with NCPP by October, 2002.
- Distributed the document to all public universities in anticipation of the "sectorial" meeting the law faculties that took place from the 25th – 25th of November, 2002 in Santa Cruz at the University Gabriel René Moreno. Provided technical support to thus meeting.
- Secured approval of the curriculum for use within the public university system.
- Although this activity is complete with the approval of the reformed curriculum, continued seeking approvals higher in the university hierarchy, such as at the National Academic Meeting (Reunión Académica Nacional, or RAN) and the National Conference of Universities (Conferencia Nacional de Universidades, or CNU). Once approved at these highest level, the CNU, the reformed curriculum which is presently approved for use would become mandatory at all university law programs.

SPECIFIC OBJECTIVE 4 - DISSEMINATION. PUBLIC UNDERSTANDING OF AND SUPPORT FOR THE CCP IS INCREASED.

In early 2003 USAID effected the transfer of all civil society activities under this project to Partners of the Americas (POA), the lead institutional partner for implementation of the civil society component of USAID's justice reform efforts over the next several years. A fully operational network of NGOs/CSOs trained on the NCPP and already undertaking certain policy stances as a coordinated group was transferred to POA as of early 2003, and that prior to the transfer of activities to POA the majority of the activities contemplated to achieve the above result had already been completed.

To effect the transfer of civil society activities to POA, we conducted the following activities:

- Close coordination with POA and USAID via meetings, telephone calls, and emails to effect a seamless as possible transfer of the NGO/CSO network to Partners.
- Explanatory letters and meetings with the NGO/CSO network and POA to effect and explain the transfer in funding from MSD to POA, and that work planned under agreements with MSD will continue under POA.
- Preparation and submission to USAID of reports on NGO/CSO progress in their activities and funds expended to date.
- Receipt and review of final reports and expenses from the NGO/CSO network through to 1/31/03. Close out of subcontracts shortly thereafter.
- Ongoing coordination meetings with POA.

As a consequence of the elimination of civil society work from this project, all Results in the SOW dealing with civil society were eliminated and no longer reported on as of January 2003. Activities dealing with civil society carried out prior to this transfer are described in ANNEX B to this report.

RESULT 4.1 CITIZENS RECOGNIZE CCP MECHANISMS THEY CAN USE TO ACCESS THE CRIMINAL JUSTICE SYSTEM AND RESOLVE CONFLICTS.

4.1.1. ACTIVITY: Identification of strategic elements for a traditional mass media campaign and an alternative education/outreach campaign.

- Completed.
- Assessed Phase II publicity efforts through a subcontract with KPMG to provide an independent opinion and analysis and lay the groundwork for the identification of the strategic elements of a Phase III mass media campaign.
- Monitored the progress and implementation of the work being conducted by KPMG and guided the work to the extent necessary to ensure useful results, but took care not to interfere in the impartiality or validity of the assessment.
- The results of the assessment were completed in December and a presentation made in January, 2002.
- Developed strategic elements for the mass media campaign and educational/outreach efforts; strategy documents for mass-media efforts targeting urban and rural areas, as well as for alternative education and awareness efforts that will be implemented in partnership with selected NGOs.
- Identified macro target groups based on geography and the location of judicial seats, and cross-referenced with the various target groups sought to be reached during Phase III.

- Completed a review and itemizing of the various tools and methods for potential use with various target groups, subsequently used to provide a core set of options for NGOs that were also be asked to develop their own, customized outreach and education tools.
- Developed a calendar projecting possible training and related diffusion activities, accommodating and avoiding conflicts with the agricultural calendars of the *altiplano*, the valleys, and the plains.
- Developed a list of opportunities for raising public awareness and knowledge of the NCPP has been compiled based on the agricultural calendar and when local festivals are held.
- The results of the aforementioned activities preparation were reflected in the RFPs released by the BAOJ Program, as well as the subsequent proposals received and terms of reference executed in agreements with the 8 NGOs/CSOs selected to date

4.1.2. ACTIVITY. Production and information dissemination of programs (radio and television) and other outreach and education materials defined in 4.1.1.)

Early Radio Spots

- Developed terms of reference for subcontracting with a firm specializing in development of radio programs and spots.
- Developed selection criteria for use in evaluating responses received.
- Invited 9 firms to bid on November 26, 2001. No bids were received.
- Invitations again made to the four leading radio program producers in Bolivia: Akustica, Proton, Proaudio, and Pavs, and this time bids were received. The bids were reviewed and Akustica was selected on the basis of capabilities and price.
- Held meetings with leading firms specializing in both production and distribution of radio programs through their networks, requested bids.
- Reviewed the two *cuñas* produced by Akústika for technical legal accuracy and quality.
- *Red Somos* was selected to distribute radio spots, for its coverage and ability to reach target groups we wished to reach.
- Worked closely with Akustica to develop scripts for two dealing with *medidas cautelares*, both of which were approved for airing by the BAOJ Program and by USAID.
- Aired selected spot was during through *Red Somos*. Transmission of the selected radio spot (*cuña*) began on January 28, 2002 and ran for nine weeks. Full coverage of the capitals of each department was achieved by January 30, and full coverage of the 35 judicial seats/areas was achieved by January 31.
- Prepared a press release for consideration by the Ministry of Justice (then Serrate) to announce the release of the *cuña*, but no action was taken by the Minister.

Materials Production and Public Relations

- Developed terms of reference and published requests for letters of interest in La Paz, Cochabamba, Santa Cruz, and Sucre newspapers during the week of March 18, 2002 targeting PR agencies.
- During the following week a similar announcement was published requesting letters of interest for companies specializing in production of communications pieces for the rural area.

- Sent detailed terms of reference for materials production to 63 production agencies.
- Developed the evaluative tools necessary for the impartial review of proposals.
- Terms of reference/bidding documents were prepared and sent to the 74 publicity/PR, including 59 entities which had submitted letters of interest in response to BAOJ Program publications soliciting same. The process involved sufficient time to address questions posed by RFP respondents.
- Tironi & Associates (urban) and Gregorio Apaza (rural) were selected.
- URBAN AUDIENCE ongoing accomplishments:
 - ✓ Television ads. These were produced in prior reporting periods and began broadcasting on television and radio in June, 2003, and will continue to December, 2003.
 - ✓ Newspaper ads. The periodic publication of these ads was ongoing during the reporting period.
 - ✓ Jingles for radio.
 - ✓ The *Don Justo* radio show, responding to pre-established priority topics as well as topics that arise, such as the medidas cautelares issue (see below).
 - ✓ Posters (tied into corresponding TV ads) on rape, murder, corruption, and robbery (topics of concern to the populous) and how the NCPP is effective in addressing these crimes
 - ✓ Educational Flip Chart
 - ✓ 12 Meses – 12 Causas during the month of July on ATB which resulted in 29 ads, 6 per week, being transmitted with an informative message and oriented to respond to topics of concern amongst the citizenry. Themes centered on the NCPP and revaluing victims, lynchings, efficiency of the reformed system in high profile cases (e.g., PROSEGUR), constitutional rights, oral trials, and other NCPP accomplishments. Additionally, the AOJ program caused ATB stations incorporated the NCPP and criminal justice reform as a topic into news, debate, and other programs, as well as to develop and publish pro-NCPP ads in various major newspapers as part of its Mes de Justicia campaign.
 - ✓ News Articles derived from press releases prepared by the program and issued by/on behalf of the VMJ.
- RURAL AUDIENCE ongoing accomplishments:
 - ✓ TV programs/ads-- Longer running videos appropriate for the rural population and were produced in aymara, quechua, and guarani, as well as in bilingual versions which included portions of the video in native languages and other portions in Spanish. Broadcasts occurred between July 1 and September 30, 2003 through 25 smaller, local TV stations throughout the country. The total number of broadcasts reaching rural areas was 11,736.
 - ✓ Radio broadcasts of five different programs ten minutes in length together with a short, standardized 3 – minute capsule used with all the programs that summarizes key points on the NCPP, including how it benefits the population. Each program relates a story of a problem successfully resolved through the NCPP. Problems were selected to be relevant to the lives and realities of the target populations—for example, explaining how the NCPP provides for respect of community justice decisions dealing with, say, a stolen cow. Leading radio stations with rural coverage broadcasting to the rural areas of Potosi, Oruro, Cochabamba, Tarija, Chuquisaca, Santa Cruz, Beni, and Pando were selected, as well as 32 smaller, local radio stations.

MOU with Gente and Extra

- Wrote positive news stories on the NCPP and secured their publication in the *Extra*. Prior to the end of 2001, 6 stories were prepared, passed MSD internal legal review, and were subsequently published in the *Extra*.
- Secured the commitment from both the *Gente* and *Extra* to enter into a Memorandum of Understanding type agreement with the Ministry of Justice, should the MOJ be willing, to publish stories dealing with the NCPP. The BAOJ Program secured execution of the MOU with Minister Carlos Alberto Goitia in March. Minister Goitia signed the agreement and the BAOJ Program has proceeded to also sign an agreement to finance certain development costs of the pieces to be published.
- Secured from *Gente* and *Extra* arrangements for free public service ad-space.
- Re-design of several of the ads based on input from the CTO.
- Developed a list of 12 themes to be covered and 7 articles.
- Vetted ads with the Ministry of Justice prior to publication.

World Cup 2002

- Development pocket guides and posters with an NCPP theme on the then pending World Cup games. Pocket guides and posters allowed for tracking games and scores throughout the World Cup event, through to the final game.
- 8,000 posters and 25,000 pocket guides were produced and distributed.
- An additional 85,000 were printed and distributed by the periodical EXTRA.
- 3,000 additional units were also distributed through the weekly La Época.
- Printing was executed by a local firms contracted after solicitation and evaluation of bids.
- The materials were enormously popular, generating many requests for more of same.
- The BAOJ Program PAU team and 19 officials from the Ministry of Justice distributed the material in La Paz on May 29, 2002, divided into four groups covering four strategic locations with high foot traffic. All units were distributed in less than an hour in La Paz and, through NGO/CSO contacts, in the other major cities in Bolivia.

Other

- In April, 2002 the BAOJ Program developed a list of events and activities for possible launch to recognize the one year anniversary of the NCPP's entrance into full effect. The BAOJ Program also took advantage of well known justice reform figures, such as Reinaldo Imaña, arranging interviews in the weekly Pulso, with permission from PAS. 18 questions were received in written form, and responded by the Legal Development Area. These answers were published in the magazine *Pulso*.
- The PAU area also continued its coordination with the Legal Development Area for the production of guides for citizens on two topics: being a citizen judge, and how the NCPP can help when one is a victim of a crime. These documents are under development and will be printed and released during the next reporting period. The PAU team also assisted in the re-design of the Direct Action guide for police patrolpersons, to make it user-friendly and portable.
- Extensive support was provided for the development of promotional materials dealing with the Forensic Sciences Management Course, including a video to

promote the existence of the course to media and other interested parties. The script for the video was reviewed and extensively revised, as was the staging of the video. BAOJ program staff appeared in cameo, non-speaking roles, taking advantage of the fact of the video to incorporate scenes showing use of the Police – Prosecutors Manual, also developed by the BAOJ Program.

RESULT 4.2. PRESS REPRESENTATIVES UNDERSTAND THE CCP AND ACCURATELY REPORT ON ITS PROGRESS AND IMPLEMENTATION.

4.2.1. ACTIVITY: Inventory all media outlets in Bolivia by multiple characteristics (audience, geographic reach, etc.) and identify reporters/ personalities requiring special targeting for training.

- To avoid delays and dependence on unreliable factors, we developed internal capacity to contact radio networks, community radio, and rural television stations.

4.2.2. ACTIVITY: Conduct periodic training workshops and outreach efforts for media on the NCPP and its implementation.

Training for Gente and Extra Reporters

- organized and executed two workshops for journalists from the Bolivia's most widely and frequently read periodicals (*Extra* and *Gente*). Implemented from December 10 to 14, 2001.
- Facilitated the establishment of ongoing contacts with journalists from the *cronica roja*, the most widely read newspapers in Bolivia.

Training for Bolivision Reporters

- Conducted a training session on the NCPP for reporters from *Bolivision*—notorious for inaccurate coverage and understanding of the NCPP. Covered the general outline of the NCPP, its nature as a *garantista* system of criminal justice, the efficiency of investigation under the NCPP, the oral nature of trials, the emphasis on victims and options for victims, and other hot topics, such as *medidas cautelares* and their application.
- Successfully clarified key points for Bolivian reporters with a low level of understanding of the law.

Outreach to New Journalists/Journalisms Students

- Implemented an essay contest to increase awareness and accurate understanding of the NCPP among new journalists.
- Targeted journalism students in cooperation with a major media outlet to administer the contest. Re-focusing the contest on students and conducting it through a media outlet protects the

Additional Training for Journalists

- Implemented training through Red ADA.

- Designed training to impart knowledge required for fair, impartial, and accurate reporting on the NCPP and its impact in the Bolivian criminal justice system. These entities were selected for their reach and the esteem they are held in by journalists.
- Coordinated, developed the opportunity, and executed interviews for authorized technical team technicians as follows:
 - on the topic of the *Ley Orgánica de la Policía Nacional* on the show *Abriendo Tranqueras* on Radio Infinita of Santa Cruz;
 - on the topic of changes to the NCPP on Radio Ganadería of Trinidad;
 - on the topics of domestic violence, *cogóteros*, and rape on the program *Enemigo Público* of the Red UNITEL; and
 - on the topic of training for news reporters from the Red ADA on Radio Altiplano.
- Provided assistance to PAT and the TV show, *La Ley* for their show on the topic of *medidas cautelares*.
- Provided assistance to RED Unitel for their show *Enemigo Público* on the topic of a murder case involving gangs.
- Met with representatives of the Red RTP so that their *crónica roja (Telepolicía)* seeks to include NCPP related topics, in a positive manner, in their daily productions.
- Met with various radio broadcasters, including SECRAD, PROCAR, Radio Batallón Colorados, Universidad Mayor de San Simón, PER-SI, and HAM of Challapata to secure follow-up meetings during which the overall mass media campaign could be explained and in some cases to secure commitments in regards NCPP broadcast products in production. Also continued regular contact with each of these broadcasters as well as Radio Infinita (Santa Cruz) y Radio Ganadería (Beni) to maintain the relationship and the possibility of securing interviews when needed on key topics.
- Established a relationship with *Radio María Reina de los apóstoles* of Monteagudo (Chuquisaca), which will be included in our now regular efforts to secure interviews on the NCPP and related topics for authorized technical team members.
- Coordinated and executed a training workshop for reporters on the NCPP with *Católicas por el Derecho a Decidir* and RED ADA.
- Coordinated and executed a training workshop for reporters on the NCPP with the National Information and Communication Workers Network (*Red Nacional de Trabajadoras de la Información y Comunicación*), Red ADA.
- Coordinated and executed a training workshop for reporters on the NCPP with the Association of Radio Broadcasters of the Altiplano (*Asociación de Radioemisoras del Altiplano de La Paz - AREALP*) for community leaders of the Achocalla area.
- Organized and executed a workshop on citizen participation and the NCPP directed to campesino leaders.
- Began coordinating with the Consejo de la Judicatura on the development of a press focused event in Sucre on advances in criminal justice reform by justice sector institutions, tentatively scheduled for May 17, 2003.
- Initiated contact with the *Coordinación de Género* of the *Alcaldía Municipal* of La Paz to organize an informational workshop on the NCPP, scheduled for the next reporting period (April 25). Invited participants will be the 25 organizations that comprise the Violence Network.
- Worked with the group PERSI to develop and implement training activities for rural reporters, organized by *Asientos Judiciales*. The session scheduled for the Yungas had to be postponed in March due to the road becoming impassable, but the overall timeframe for implementation of these efforts was maintained by conducting the session planned for Achacachi earlier.
- Developed a briefing document on the topic of the NCPP and gender.

4.2.3. ACTIVITY: Assist the MOJ and other relevant counterparts in managing and responding to media with respect to the NCPP.

- Held internal media-training to achieve consensus on key messages regarding the NCPP for inclusion in responses to media representatives and instruct authorized persons on how best to manage the media.
- Identified key messages for emphasis to media as faster justice; transparent justice; the code is working; democratized justice—citizen participation; applies to everyone; protects the victim; and protects human rights.
- Utilized key themes in preparing media responses issued by GOB counterparts when prepared with technical assistance from the Program.
- Organized a special workshop in March/April 2002 with designated MOJ personnel to develop a media relations plan covering the period between the appointment of the new Minister, Carlos Goitia, and the end of his tenure in July/August, 2002.
- Sought and capitalized on opportunities available for improving the profile of the MOJ and Minister Goitia as advocates for the NCPP.
- Based on the approved media plan, provided, on an ongoing basis, media related technical support to the MOJ (e.g., issue identification, drafting of press releases, assistance for the organization of press conferences, etc.) without the need for extensive pre-consultations with the MOJ.
- Provided an intensive media relations training for Minister Goitia to assist in improving his performance in television and radio appearances. Topics included and included presentation of background information on how the reporters work; do's and don'ts for interviews, including handling hostile reporters, clothing; exercises to identify key messages; and interview exercises that were filmed and later played and analyzed.
- Assisted the MOJ with the organization and execution of a highly successful working breakfast with reporters to provide Minister Goitia with an opportunity to present his goals, including NCPP related goals, from April to August, 2002), including his first three important actions.
- Utilized media relations plan established with MOJ under Minister Goitia as an institutional arrangement, permitting continuation of the above practices under subsequent ministers and vice ministers of justice, in consultation with them.
- Organized a June, 2002 press conference to highlight the curriculum re-design work being implemented pursuant to the BAOJ Program. This included development of a press release approved by the MOJ and distributed to the media in Cochabamba, where the workshop was being held.
- Targeted various newspapers with press releases to highlight activities being carried out in regards the Police – Prosecutor's Functions Manual and the inter-institutional agreement regarding money laundering signed by GOB officials in late June, 2002. Los Tiempos, Correo del Sur, El Diario, La Prensa y La Razón, Extra y Gente were reached with this material, resulting in news coverage of this event. This was also done for the launching of the course on Forensic Sciences Management.
- Generated significant media coverage (demonstrating the NCPP's improvements in access to justice) on the first NCPP oral trial in a rural area, which took place in Achacachi in March, 2002. Prepared alternative versions of an MOJ press release that was vetted with the MOJ to obtain their approval of the releases as being issued by Minister Goitia. Depending on the outcome for the trial (conviction or acquittal), the appropriate press release was distributed to the media. Promoted and helped secure coverage by all the major media outlets in a manner that reflected positively on the NCPP.

- Technical assistance for an IDIF related press conference to announce the organization of the IDIF and GOB advancement.
- Secured news coverage of the Salidas Alternativas aspects of the NCPP and “Post-graduate Course in Forensic Sciences” in *Gente* and *Extra* respectively during August, 2002.
- Technical assistance for the preparation of press releases have been developed dealing lynching, a high-profile trial in Copacabana.
- During the week of September 9, we implemented our previously developed rapid response plans to address negative coverage on the NCPP in a highly influential talk show with the “Hombre Invisible” on the Radio FIDES network. This particular program featured interviews with Dr. Valquiria Lira and Dr. José María Rivera, who made negative and false claims about the NCPP. A countering interview was arranged with AOJ program personnel Reynaldo Imaña and Rosaly Ledezma effectively dispelling the false claims put forward.
- Organized a phone interview for the Newspaper “Pulso” with an AOJ program technician authorized to do interviews. Published Friday, September 13, 2002.
- Secured publication during the week of September 23 of a newspaper article in *Extra* to refute and counteract the negative editorial on the NCPP written by the News Editor Verónica Humérez.
- An interview with citizen judges on the program “La Ley” was been coordinated with PAT for Monday, September 30.
- An interview with Paulino Verástegui was granted to the newspaper *La Época* to analyze the cases of Seferina Quispe and Blas Valencia and to see how justice is applied through the NCPP.
- An interview with citizen judges on the program “La Mañana de Fides” was coordinated with Radio Fides for Tuesday October 1.
- A letter was sent to the newspaper *Extra* signed by Paulino Verástegui in response to the opinions published by the News Editor, Verónica Humérez.
- Compilation of a list of reporters hostile towards the NCPP was completed.
- Secured publication of an article about the progress of the NCPP in the *Gaceta Jurídica*.
- Secured interview of P. Quintanilla with *La Presna* about Military Tribunals.
- Secured interview with Jorge Guzmán from PAS about the NCPP.
- Published press release about the POA from the MJDH in *El Diario* and *Gaceta Jurídica*.
- Prepared various articles for publication in *La Razon* to highlight the NCPP’s effectiveness against crimes of popular concern, including rape and domestic violence. The articles highlight the track record of convictions under the NCPP with respect to these crimes.
- Technical and logistical support provided to the MJDH for the organization of a press conference on the impending launch of the new Citizen Information and Orientation Center (CIOC).
- Secured publication in *La Patria*, an Oruro newspaper, an article responding to an NCPP related protest by doctors opposed to the results of a case in which criminal medical negligence was alleged.
- Secured publication of an article “Ex-Bankers, Ex-Deputies are Sentenced Equally with the NCPP” in the *Gaceta Jurídica*, focusing on the equal treatment under the law aspects of the NCPP.
- Worked with Radio Panamericana in La Paz to implement an informative workshop for radio reporters. This workshop was held between October 7 and 11, 2002.

- Met with manager of Radio Fides Mauricio Villa to coordinate development of an informative workshop for the journalists. involved with the mediums of communication used by the Fides family.
- Implemented an educational workshop for the Press Workers Union of La Paz on October 19, 2002.
- In Late October, we were able to secure agreement on a memorandum of understanding, signed with the Federation of Press Workers of Bolivia, to provide a context for future coordination to support implementation of training activities targeted to their members. Following up on this agreement, in November three basic training workshops on the NCPP were held for various unions within the Federation of Press Workers of Bolivia: Santa Cruz y Montero, Sucre y Potosí, Cochabamba, y Quillacollo).
- News stories were developed and published from January to March, 2003 as follows:
 - in La Razon on the NCPP and domestic violence and being a citizen judge;
 - in La Prensa on the Defensa Publica, and whether citizen judges needed collage level education or not;
 - in La Prensa (La Paz) and La Patria (Oruro) on training being provided by the UMSA related to forensic sciences;
 - in La Razon on citizen insecurity; and
 - in La Razon regarding “human security” and the media.
- Following up on the launch of the CIOC in late 2002, established ongoing communication with this subunit of the Vice Ministry of Justice’s (VMJ) to coordinate on press matters related to the NCPP. Worked with the VMJ’s CIOC to provide training to a group of reporters on the criminal justice reform process. The results of this meeting included agreement with reports on the creation of a Yahoo group called periodistasporlosddhh@yahogroups.com which will serve as a mechanism to constantly provide information to reporters on human rights and NCPP related topics.
- Technical assistance to the VMJ focused on the medidas cautelares issue from April to the end of 2003, including the preparation of a briefing book on the issue for use by GOB officials in engaging media/press. Assisted with the production of three new pieces on the medidas cautelares of the NCPP and changes to these provisions effected August 4, 2003. These messages focused on correcting misperceptions about the medidas cautelares provisions of the NCPP, and reorienting readers to the fact that justice system operators are responsible for decisions made with the medidas cautelares provisions of the NCPP—not the NCPP.
- Prepared press releases and networked to secure publication of an article entitled “*Medidas cautelares contra el autoritarismo*” in *Opinion* on July, 3 2003.
- Prepared press releases and networked to secure publication of an article entitled “*Tras aprobación en la Cámara de Diputados, La ley de Defensa Pública ayudará al 70% de los reos*” in *La Razon* on July 11, 2003.
- Prepared press releases and networked to secure publication of an article entitled “*Medias cautelares del Nuevo Código pueden ser cambiadas*” in *La Prensa* on July 28, 2003.
- Prepared press releases and networked to secure publication of an article entitled “*Cautelares. Los jueces adquieren más poder con los cambios*” in *La Razon* on August 1, 2003.
- Prepared press releases and networked to secure publication of an article entitled “*Las cautelares en manos de jueces y fiscales*” in *La Prensa* on August 16, 2003.

- Prepared press releases and networked to secure publication of an article entitled “*Serán juzgados como cualquier ciudadano, Los jueces no gozarán más del caso de corte*” in *La Prensa* and *Correo del Sur* on August 22, 2003.
- Prepared press releases and networked to secure publication of an article entitled *Solo Bolivia tiene jueces ciudadanos que sentencian* in *La Razon* on September 10, 2003.
- Prepared press releases and networked to secure publication of an article entitled “*Avance con jueces orales* in *La Razon* on September 22, 2003.

RESULT 4.3. A SYSTEM FOR DISSEMINATION ESTABLISHED TO INFORM THE LEGAL COMMUNITY OF IMPLEMENTATION PROGRESS ON THE CCP IS ESTABLISHED; IMPORTANT CCP-RELATED DECISIONS, AND CCP STATISTICS ARE WIDELY DISSEMINATED WITHIN THE LEGAL COMMUNITY.

4.3.1. ACTIVITY: Establish in the Ministry of Justice an information network accessible to the public.

- Cross reference with 3.1.3., D., Other, above, in which we describe the assistance provided for the development of a special CD ROM for issuance by the MJDH and/or its CIOC sub-unit.
- Cross reference with 2.1.6., above, regarding the Criminal Policy Unit, which was established to produce statistics for dissemination by the MJDH.

RESULT 4.7. NON-FORMAL CRIMINAL JUSTICE SYSTEM DECISIONS ARE ACCEPTED AND VALIDATED BY THE INSTITUTIONAL CRIMINAL JUSTICE SYSTEM.

- As noted above and in prior reports, the VMJ has determined in various meetings with the program that further activity to advance the community justice law is not advisable owing to political conditions in country. The main mechanism through which the above result is to be ensured was through the Community Justice Law. Owing to the decision by the VMJ, efforts to educate system operators through the NCPP website, the CD ROM, and other mechanisms will be undertaken.

SPECIFIC OBJECTIVE 5 – MANAGE LOCAL CURRENCY FUNDS

This activity was executed as required. Annual PL480 audits continue to be very favorable, with only minor, routine notes.

ANNEX A

PUBLIC MINISTRY SPECIAL ACTIVITIES

ACTIVITY NAME	AMOUNT REQUESTED	AMOUNT COMMITTED	DESCRIPTION
Unidad de Intervención Inmediata "UDRI" <ul style="list-style-type: none"> • Pasajes Hotel y Viáticos CBB • This activity also produced the INSPECTORIA report, provided to the Public Ministry and USAID. 	9 FISCALIAS \$us 52.800.-- (6 Ciudades)	1 FISCALIA PILOTO CBB. <u>\$us 8.800.--</u> \$us 8.800.— Fuente: AID	Brindar asistencia tecnica y orientación a los Fiscales de todo el país, agilizando la debida atención y tratamiento a las causas ingresadas, la culminación de juicios orales, la aplicación de los criterios de oportunidad y otras salidas alternativas; evitando el vencimiento de los plazos en la etapa preparatoria, la retardacion de justicia y la posible extinción de la acción penal
Programa de Asistencia a la Víctima "PROSAVI" <ul style="list-style-type: none"> • Equipamiento Forense • Mobiliario de Oficina 	1 PROSAVI 9 PROSAVIS \$us 20.040.-- \$us180.360.-- \$us 8.070.-- \$us 72.630.--	1 PROSAVI PILOTO ALTO \$us 20.040.-- <u>\$us 8.070.--</u> \$us 28.110.— Fuente: PL480	Brindar información, orientación y asistencia directa a toda persona que ha sido víctima de un delito, comprendiendo tanto el asesoramiento legal, tratamiento psicológico, la asistencia medico forense, la asistencia social y gestión de ayuda, coordinación o derivación ante otras instancias pertinentes de apoyo y asistencia social
Plataforma de Atención al Publico <ul style="list-style-type: none"> • Mobiliario plataforma, espera e interrogatorio 	1 PAP <u>\$us 3.540.--</u> \$us 3.540.--	5 PAP LP,CB, SC, AL, SR <u>\$us 17700.--</u> \$us 17700.— Fuente: PL480	Canalizar las denuncias y querellas del publico, así como proporcionar información a abogados e interesados en general a través de la Ventanilla Unica para la Recepción de Denuncias; así como facilitar la conciliación de delitos menores. Contar con estadísticas confiables.
Administración Recursos Humanos <ul style="list-style-type: none"> • Consultoría (4 meses) 	\$us 16.000.--	\$us 10.000.— Fuente: AID	Apoyar la efectiva implementacion del Instituto de Capacitación del Ministerio Publico (ICMP), desarrollando el sistema de Carrera Fiscal, sus respectivos Reglamentos y Manuales de Procedimientos, que permitan lograr la excelencia profesional y competitividad de los Fiscales, regulando su ingreso, evaluación, permanencia, promoción, capacitación, remuneración y cesación de funciones..

ACTIVITY NAME	AMOUNT REQUESTED	AMOUNT COMMITTED	DESCRIPTION
Planeamiento Estratégico y POA 2003 <ul style="list-style-type: none"> • Equipamiento talleres • Materiales talleres • Material de apoyo • Refrigerios 4 por distritos • Gastos pasajes, hospedaje y viáticos 	\$us 1,170.-- \$us 774.-- \$us 720.-- \$us 900.-- <u>\$us 8.880.--</u> \$us. 12.444.--	\$us 1,170.-- \$us 774.-- \$us 720.-- \$us 900.-- <u>\$us 8.880.--</u> \$us. 12.444.— Fuente: AID y GTZ	Desarrollar por primera vez la Planificación Estrategia del MP a mediano Plazo, y concretizar actividades a partir de la Programación Operativa Anual 2003 del MP con la participación de sus principales autoridades.
Instituto de Capacitación del Public Ministry "ICMP" <ul style="list-style-type: none"> 1 Fax 1 Fotocopiadora de alto trafico 1 Impresora laser de alto trafico a colores 1 Scanner profesional alta resolución 1 Data Display 1 Computadora Norebook 1 Filmadora profesional 1 Video grabadora VHS 1 Monitor TV pantalla grande 1 Editora de Videos 4 Computadoras desk top para red pequeña 1 Impresora laser de alto trafico para red 	\$us 400.-- \$us 7.500.-- \$us 4.000.-- \$us 1.500.-- \$us 3.000.-- \$us 2.000.-- \$us 2.000.- \$us 600.-- \$us 800.-- \$us 1.500.-- \$us 4.800.-- <u>\$us 2.000.--</u> \$us 30.100--	\$us 400.-- \$us 7.500.-- \$us 4.000.-- \$us 1.500.-- \$us 3.000.-- \$us 2.000.-- \$us 2.000.- \$us 600.-- \$us 800.-- \$us 1.500.-- \$us 4.800.-- <u>\$us 2.000.--</u> \$us 30.100-- Fuente: AID	Fortalecimiento integral de ICMP orientado a lograr el cumplimiento de su la vision institucional del MP, para convertirse en una institución de excelencia académica que forme fiscales especializados en promover la acción de la justicia, la defensa de la legalidad y los intereses de la sociedad y del Estado..
Instituto de Investigaciones Forenses IDIF <ul style="list-style-type: none"> • 1 Consultor Responsable (6 meses) • 2 Consultores Senior (6 meses) 	6 MESES \$us 6.000.-- <u>\$us 6.000.--</u> \$us12.000.--	6 MESES \$us 2.506.-- <u>\$us 5.014.--</u> <u>\$us 7.520</u> Fuente: PL480	Consolidar el proceso de implementacion del IDIF elaborando manuales y reglamentos de procedimientos y de investigación, a fin de consolidar el funcionamiento del instituto.
Fiscal en Recursos Humanos	\$us. 1.117 x 6 mese	\$us. 6.702.— Fuente: PL480	Consolidar el Centro de Justicia y DD.HH. de Chimore con la contratación de un Fiscal en DD.HH. que realice la investigación sobre este tema.

ACTIVITY NAME	AMOUNT REQUESTED	AMOUNT COMMITTED	DESCRIPTION
Reglamentos Especificos Ley Safco 1178	\$us. 0.-	\$us 0.— Consultor MSD F.D. Fuente: AID	La Fiscalía General de la República cuenta con reglamentos que fija la Ley Safco, para toso sus sistemas administrativos No incluye valor alguno, ya que un Consultor de MSD desarrollara los mismos, en coordinación con el Director Nal. Adm. y Finanzas FGR

ANNEX B: CIVIL SOCIETY

This Annex reports on activities pursuant to results that were eliminated from the SOW by modification of the task order.

At the onset of Phase III, the BAOJ Program experienced the imminent and then actual departure of its Area Coordinator for Public Awareness and Understanding (PAU). Luis Luna departed in September, 2001 to run another USAID Bolivia program—the Legislative Strengthening project for the State University of New York. Although progress was made, this situation caused unavoidable delays in the commencement of substantive work in this area as we needed to recruit a new coordinator, vet them with USAID, and then bring them up to speed on the program and its activities. Notwithstanding these delays, we have made good progress in this area.

We had consolidating reporting of results specified in the SOW for purposes of management and organizing the work in the most effective manner possible. More specifically, we consolidated reporting on activities conducted pursuant to results 4.1, 4.4, 4.5, 4.6, and 4.8 as they are intertwined and therefore the activities being implemented support more than one result simultaneously. We also re-ordered and updated activities specified in the workplan, as indicated below. These changes were approved by USAID. The consolidated result was:

(RESULT 4.4) A CORE GROUP OF 8-10 BOLIVIAN CIVIL SOCIETY ORGANIZATIONS (CSOs) HAVE THE CAPABILITY OF TRAINING OTHER INSTITUTIONS IN ALL TECHNICAL ELEMENTS OF THE NEW CCP, AND (RESULT 4.8) THESE GROUPS MEASURE THE IMPACT OF THE CCP UPON DIFFERENT SOCIAL GROUPS. THROUGH THE CORE GROUP, (RESULT 4.5) A BROAD NETWORK OF CIVIL SOCIETY ORGANIZATIONS TRAINED AND ABLE TO DISSEMINATE INFORMATION, AND RAISE PUBLIC AWARENESS AND UNDERSTANDING REGARDING THE CCP, PARTICULARLY (RESULT 4.6) BOLIVIAN CITIZEN GROUPS OF WOMEN, INDIGENOUS AND SOCIALLY DISADVANTAGED. (RESULT 4.1) CITIZENS RECOGNIZE CCP MECHANISMS THEY CAN USE TO ACCESS THE CRIMINAL JUSTICE SYSTEM AND RESOLVE CONFLICTS.

Activities implemented pursuant to this result were:

ACTIVITY: Identify relevant Bolivian NGOs/CSOs, select 8 to 12 entities as a Core Group, vet with USAID, and activate a national NGO/CSO network on the NCPP.

- Activity completed prior to transfer of civil society component to POA in January, 2003.

During the first year of the program we identified and selected 8 NGOs/CSOs which will form the Core Group of NGOs/CSOs, to be supplemented later by approximately four additional NGOs/CSOs.

Terms of reference were refined through various rounds of proposal and feedback to simplify the application process for NGOs and permit maximum flexibility in determining the range of ideas and techniques that could be utilized by NGOs to conduct outreach and education. In those areas where the Program wishes to utilize alternative mechanisms such as teen theater and students from *colegios* to spread education on the NCPP, the Program conducted research into the number of teachers and students present in the various Bolivian departments. Announcements were published March 7 and 10, 2002 requesting letters of interest from NGOs in five newspapers from throughout Bolivia. Significant effort was also made to ensure that

NGOs throughout Bolivia, both large and small, were reached with news about the outreach and education opportunities related to the NCPP.

Terms of reference were finalized and distributed to 105 organizations that had expressed interest in the competition, responding to the newspaper announcements, or which were on the list of NGOs the Program wished to invite to participate. The Program held two rounds of competition, one in April and a second in May, using the same RFP with minor adjustments in the second round based on results from the first round.

The BAOJ Program also undertook efforts to develop a working relationship with the *Conferencia Episcopal de Bolivia*, the organism that represents the Catholic Church in Bolivia and through which the Church implements its social and community programs. Successfully developing this relationship would be a significant achievement for the program given the depth and reach of the Church as an outreach and education mechanism in Bolivia. To this end, we met with Juan Carlos Nuñez, who serves as a Secretary to the *Conferencia Episcopal* and works for CARITAS Bolivia. As follow up to this meeting, the BAOJ Program cross-referenced NCPP code provisions with relevant aspects of the Catechism of the Catholic Church, its principle “policy” document that both established and explains the Catholic Church’s official position on a variety of topics, including topics related to law and the rule of law. The result of this cross-referencing was a two-page document which laid out, through a series of questions and answers, why the *Conferencia Episcopal* should be interested in supporting efforts to consolidate the NCPP. This document was vetted with USAID and then sent to Mr. Nuñez for subsequent re-distribution to the attendees of a meeting in March, 2002 during which the *Conferencia Episcopal* convenes the bishops and officials from throughout Bolivia. With consensus from this group, CARITAS, was able to proceed forward to develop a working relationship with the BAOJ Program. Proposals received from CARITAS as follow-up to initial meetings were not sufficiently developed in details to permit us to proceed with them. In short, we perceive them to be unwilling to submit to the controls necessary for management of a sub-contract, and therefore do not hold out hope for progress. We will, however, continue to explore the possibility of working through CARITAS on PAU efforts.

The RFP was sent out on a rolling basis to anyone who requested it. In April, 2002 we held a meeting with prospective NGO/CSO applicants to clarify questions about the RFP. Approximately 40 entities were present. The week of April 22 saw the completion of review of the technical proposals received from the first round competition.

Proposals were opened in a public act on April 15. Evaluative tools to assist in proposal review and assignment of points were developed. 31 proposals were thoroughly reviewed, rated, and ranked. Two months after receiving the approval from the Minister of Justice to proceed, we presented the Minister with the list of NGOs/CSOs tentatively selected, which he also approved. These groups were then subcontracted with and began undertaking activities as planned. Activities being undertaken by each entity were previously reported to USAID.

Eventually, after an intensive outreach effort that identified over 135 candidate NGO/CSOs, 11 were selected to constitute a national civil-society network managed by AOJ Implementing Agency MSD/Bolivia. The 13 entities selected provide coverage for the whole of Bolivia, have been trained on relevant aspects of the NCPP, and are presently conducting outreach and education efforts to fill the lull in activities that occurred earlier in 2002, when the national elections took center stage in the public consciousness.

**Table 5
NGOs/CSOs Selected for Phase III PAU Efforts**

NAME OF ENTITY	FOCUS	GEOGRAPHIC COVERAGE										ETHNIC AND LANGUAGE GROUPS					
		L A P A Z	S A B C A R A B A	C O C A	S U C R E	T A R I J A	P O R T O	B E N I	P A N D O	M E S T I Z O	Q U Y U A	A Y M A R A	G U A R A N I	M O J I T A N O	C H I T A N O	T A C A C O	M A C A C O
Centro de Educación Popular, QHANA	Rural																
Asociación Juventud para el Desarrollo, JUDES	Rural																
Instituto de Capacitación Campesina, INCCA	Rural																
Esperanza Bolivia	Rural																
Centro de Promoción Agropecuaria Campesina, CEPAC	Urban/Rural																
Enlace	Urban/Rural																
Casa de la Mujer	Rural																
Centro de Información y Desarrollo de la Mujer, CIDEM	Urban																
PROCESO	Urban																
SIDES – UNICEN	Urban																
PROMUJER	Urban																

From late May to mid-June, 2002 the BAOJ Program conducted negotiations with the 8 selected entities to permit finalization of a formal sub-contract document. Negotiations with all selected entities conclude in mid-June. Aside from the terms of the sub-contracts (for example, payment structure), other quality and compliance controls were also implemented, including a requirement for a “boleto de garantía” totaling 7% of the total subcontract amount, and submission of copies of organizational bylaws/constitutions, etc. Of the eight entities selected, one was visited without notice to ensure the fact of their existence and operations. This was done because this organization presented an excellent proposal with important coverage of desired target populations, but there were some doubts about its actual existence. The site visit confirmed JUDES as a small, but operating NGO in Oruro with important contributions to offer to our overall PAU efforts.

The remaining applicants were notified of their non-selection, but were also notified that their proposals would be automatically considered in the round-two competition, unless they requested that it be withdrawn, or unless they wished to supplement their initial proposal by the deadline for submission of proposals for consideration in round two. Solicitation of proposals for Round Two began the week of June 3. As with round one, a meeting was held for all interested parties to respond to queries regarding the RFP. We expect to select about four additional groups. Once round two NGOs/CSOs are selected, this activity will be complete.

ACTIVITY: Train the key group of selected NGOs/CSOs on relevant technical elements of the NCPP; new education/ outreach methods; data collection and analysis; and other relevant topics.

- Activity completed prior to transfer of civil society component to POA in January, 2003.

Although the NGO/CSO groups to receive the above described training were not selected until June – July, 2002, preparations for the first in a series of such trainings began much earlier. Preparations for the training were undertaken by both Legal Development and PAU technicians.

This included the outline for a manual/kit for use in training NGOs/CSOs, with associated materials, as well as for use by NGOs/CSOs in training their affiliates on the NCPP; as well as two modules for use by NGOs/CSOs on alternative communicating and training efforts—one itinerant alternative communication; and another on training of various community leaders, including union leaders. This preparation also included the development of a detailed agenda with exercises to build a positive and supportive group dynamic. Extensive reviews in internal BAOJ Program sessions had been conducted to identify elements of the NCPP most relevant to the target groups and target entities that would later be trained by the core group of NGOs/CSOs. The effort here was to empower the NGOs/CSOs to provide technical as well as practical responses. For example, if someone steals from me, what can I do? If a policeman has arrested me, what are my rights? If my spouse is hitting me, what can I do? I've been called to be a citizen judge—what does this mean?

The first training is entitled, *Consolidando el NCPP; Alianzas estratégicas para la democratización de la justicia* and was held at Lake Titicaca at the Hotel Titicaca. Key documents from this training appear in Annex 21. Training participants were the senior staff and other personnel assigned to implement their entity's program pursuant to the sub contractual agreement with MSD.

This first training culminated in a plenary session at the Hotel Europa on its third day, during which the representatives of the various entities gathered selected spokespersons to relate to the entire group, as well as special invited guests from USAID such as USAID/Bolivia Director Liliana Ayalde, their various accomplishments over the past days. The group developed a guidance document and strategies to assist in their coordinated, community-based outreach and education efforts. They also came to consensus on a policy position regarding upholding constitutional human rights, as well as regarding the importance of protecting victims. A copy of their joint declaration appears in Annex 21 as well. We are told by the NGOs/CSOs that this is the first joint declaration of NGOs/CSOs on a criminal justice topic in the history of Bolivia.

4.1.3. ACTIVITY: Conduct outreach and education efforts directly and through the NGO/CSO network targeting other NGOs/CSOs and individuals using “replication” and other methods.

- This was an ongoing activity.

Outreach and Education for Miners

Working with the Legal Development Area, traveled to Colquiri, Oruro to conduct an NCPP training workshop to mining leaders in February, 2002. The workshop included re-creation of police – citizen interactions under the NCPP and situations relevant to the lives of miners and their families. That is, the session was adaptive to local realities. We also took steps to begin developing relationships with the Miner's Radio Network (*Red de Radios Mineras*) and determine possible points of cooperation regarding the NCPP and its “PAU”. This highly successful outreach effort was then memorialized in a document that will serve as a model for future such interventions dealing with ordinary Bolivians living in rural or sub-urban areas. Approximately 30 persons participated.

Outreach and Education for Lawyers and Students

We organized various “charlas” in July, 2002 regarding the NCPP and the new Law on the Execution of Penalties targeted to lawyers and students, as follows:

- At the Corte Superior de Distrito de Tarija cooperating with the Asociación de Magistrados of Tarija. Approximately 90 lawyers participated.
- At the Universidad Juan Misael Saracho in Tarija cooperating with the University Extension Secretariat. Approximately 120 students participated.
- With the Sucre Bar Association, cooperating with the bar and the Pastoral Penitenciaria of Sucre. Approximately 100 lawyers and students participated.
- With the Bar Association of Potosí, cooperating with the bar and the Pastoral Penitenciaria of Potosi. Approximately 70 students and lawyers participated.
-

Additionally, in July, 2002 we held a series of workshops in penitentiary centers regarding the NCPP and the new Law on the Execution of Penalties. Workshop sites were Morros Blancos in Tarija, San Roque in Sucre, and Cantumarca in Potosí. This activity is considered important because of the numbers of pre-trial detainees.

During the week of September 23 we coordinated with the ONG Qhana to plan and implement roundtables (mesas de dialogo) in the city of Santa Cruz de la Sierra. Through these roundtables, promotion of the following goals was achieved:

- The introduction of democratic information and communication centers to promote involvement by the population of Santa Cruz in implementation of the NCPP.
- Promoting positive dialogue on the NCPP and citizen security issues between different sectors and social actors from rural and urban areas in Santa Cruz. The methodology used is a participatory debate, with local organizations and local authorities gathered to discuss the NCPP.

Based on the successful results of this roundtables, we followed up with QHANA to request replication of these events.

4.1.5. ACTIVITY: Convene a *Comite Nacional de PAU* comprised of NGOs/CSOs and representatives from the MOJ to facilitate national level coordination and provide guidance on outreach and education efforts.

- Activity completed prior to transfer of civil society component to POA in January, 2003.

The SOW for the BAOJ Program calls for the establishment of a National PAU Committee (*Comite Nacional de PAU* or CND) to approve the selection of NGOs that will work in the area of Difussion, as well guide the ongoing work of PAU throughout the life of the project. The politics between the NGO sector and the GOB make such an arrangement untenable, particularly if the BAOJ Program wishes to access NGOs with real trust and access to difficult to reach populations. Generally speaking, securing the participation of such NGOs in a process that makes them subject to approval of their work by GOB authorities is not workable. Through various discussions with USAID and consultations with other civil society and NGO experts, a the understanding of the SOW requirements has been clarified to allow us to develop a more streamlined approach that avoids the possibility of unnecessary bureaucratic delays in securing

approvals and obtaining guidance on the implementation of PAU efforts. More specifically, if created, the CND will be structured as an independent advisory body to the BAOJ Program. Members of the CND will consist of selected representatives from the GOB; selected NGOs/CSOs, and USAID/MSD. This CND will serve as a working group that will meet on a more frequent basis to provide the ongoing guidance called for in the SOW. Formal GOB approval of BAOJ Program activities will be obtained through a meeting with the Minister of Justice, in his capacity as CEI President, requesting that he sign off on the proposed plan to work with NGOs.

In March, 2002 the BAOJ Program obtained written approval from the Minister of Justice to proceed with PAU activities based on developed plans already presented to the Ministry. With approval from the CTO, the CND was therefore not formed, owing to credibility issues that the CND would suffer, from the perspective of NGOs, if the CND has strong governmental institutional representation.

On November 28, the Ministry of Justice and the national network of NGOs/CSOs established by MSD signed the agreement creating the Comité Nacional de Difusión as a coordination and cooperation mechanism with the goal of sustaining and strengthening public awareness and understanding efforts related to the NCPP. This is an outgrowth of significant groundwork laid in the creation of the network of NGOs. The members of the Committee are the 11 NGOs/CSOs comprising the civil society network plus a representation from the MJDH. The technical vision for the creation of this group is to provide very general oversight or monitoring of civil society public awareness and understanding activities, as well as technical orientation and guidance on how to best accomplish public awareness and understanding. The precise activities that will be carried out to accomplish this are yet to be established, as they must be established by the group itself to ensure buy-in.